Board of Selectmen Meeting Minutes

January to December 2002

Digitized by the Internet Archive
in 2017 with funding from
Boston Public Library

https://archive.org/details/chelmsfordboardo2002chel

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

January 14, 2002

7:00 p.m. **Call to Order—Pledge of Allegiance**

Public Service Announcements

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s)

- Board of Selectmen: October 1, 2001
  October 22, 2001
  November 7, 2001

- Executive Session: October 1, 2001
  October 29, 2001
  November 1, 2001

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

- Preservation of Forefathers Burial Ground –
  Fannin-Lehner Preservation Consultants, Concord, MA

Scheduled Business

7:30 p.m. Application for One-Day Beer & Wine License:
"An Elegant Evening of Jazz" – Chelmsford Public Library

Unscheduled Business

- Application for Transfer of Diesel Storage License:
  Land at 330 Billerica Road

- Appointment of Deputy Constables

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Regular Meeting: **January 28, 2002**

**** This meeting is televised. *****

BOARD OF SELECTMEN MEETING MINUTES
JANUARY 14, 2002

A regular meeting of the Board of Selectmen was held on January 14, 2002 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Philip Eliopoulos, William Dalton, Michael McCall, Thomas Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

OPEN SESSION

Chelmsford Rotary Club Dance – January 19, 2002

Marian Currier came before the Board to announce a dance sponsored by the Rotary Club to benefit Habitat for Humanity. The date of the dance is Saturday, January 19, 2002 at 7 pm at the Radisson Hotel.

Winterfest – February 2-3, 2002

Pam Armstrong announced the 8th annual Winterfest to be held the weekend of February 2nd. The kickoff event is a pancake breakfast. A variety of events are scheduled over the course of the weekend. The calendar of events will be published in *The Independent* and *The Sun*. Donation boxes will be placed at various events as opposed to the button system used in previous years.

Mr. Lynch took the opportunity to highlight the work done in previous years by Peggy Dunn and to thank Pam Armstrong and Susan Gates for stepping in to organize the event in Ms. Dunn's absence.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MINUTES

Board of Selectmen: October 1, 2001
October 22, 2001
November 7, 2001

Selectman McCall made a motion to approve the minutes from October 1 and October 22, 2001. Motion seconded, minutes approved unanimously.

Selectman McCall made a motion to approve the minutes from November 7. Selectman Dalton was not present at that meeting due to a conflict with an SSBC meeting. Motion seconded with one abstention.

Executive Session: October 1, 2001
October 29, 2001
November 1, 2001

Selectman McCall made a motion to approve and accept the minutes from the executive sessions of October 1, October 29 and November 1, 2001. Motion seconded, minutes approved unanimously.

TOWN MANAGER REPORTS

Mass. Municipal Association

The Board and Town Manager attended the annual MMA conference. The meeting provided a better sense of the financial issues municipalities will be facing in the coming months. A number of economists gave presentations. The Commonwealth is anticipating a $1.2 billion shortfall. The picture for the State is not good.

As for Chelmsford, there appears to be a $2.7 million gap between revenue and expenditures. The challenge will be to correct this year's problem without creating a long-term problem. Town Meeting is currently scheduled for April 22nd. It could be postponed to May 20th, though the School department has indicated concerns regarding a delay. A decision could be reached by the January 28 Selectmen's meeting as to a date for the Spring Town Meeting.

Fees

John Coderre, Charles Ferney and staff have been working hard toward completing an updated schedule of fees. The schedule will be presented for a vote at the January 28th meeting.

TOWN MANAGER BIDS/CONTRACT AWARDS

Preservation of Forefathers Burial Ground-Fannin-Lehner Preservation Consultants, Concord MA

Mr. Lynch awarded the contract for the preservation of the Forefathers Burial Ground to Fannin-Lehner Preservation Consultants, Concord MA for the amount of $38,000. The work includes the disassembly and reconstruction of walls and head stones.

Selectman McCall made a motion to approve the award of the contract for the preservation of the Forefathers Burial Ground to Fannin-Lehner preservation Consultants, Concord MA for the amount of $38,000. Motion seconded and bid award approved unanimously.

SCHEDULED BUSINESS

Application for One-Day Beer & Wine License: "An Elegant Evening of Jazz" Chelmsford Public Library

Kathy Cryan-Hicks appeared before the Board to request approval for a One-day Beer and Wine License. The event is "An Elegant Evening of Jazz" to be held at the Chelmsford Public Library on February 15, 2002 at 8:00 p.m. It is a benefit for the Friends of the Library and the Friends of Music. A grant from the Cultural Council will fund entertainment to be provided by the Paul Broadnax Quintet.

Selectman McCall made a motion to approve a One-Day Beer and Wine License for the Chelmsford Public Library for February 15, 2002 from 8 pm – 11:30 pm. Motion seconded and approved unanimously.

UNSCHEDULED BUSINESS

Application of Transfer of Diesel Storage License: Land at 330 Billerica Road

Selectman McCall made a motion to approve the transfer of diesel storage license at 330 Billerica Road from The Manufacturers Life Insurance Co. to Principal Mutual Life Insurance

Co. 711, High St., Des Moines, IA subject to the verification of the certificate of insurance and a favorable inspection report. Motion seconded and approved unanimously.

Appointment of Deputy Constables

Selectman McCall made a motion to approve the appointment of the following deputy constables:

Henry Sullivan	1 Belair Dr., Chelmsford
Judith Goffin	19 Cathy Rd., Chelmsford
Kevin V. Whippen	168 Groton Rd, No. Chelmsford
Robert Rallis	PO Box 653, Lowell
Michael J. Denihan	45 Prescott Dr., No. Chelmsford
Joseph R. Connell	3 Connell Dr., Westford
Matthew St. Hilaire	11 Cross St., No. Chelmsford
Francis M. Fraine	24 Floyd St., Billerica
Donald Stout	41 Blossom St., Lowell

Motion seconded and approved unanimously.

SELECTMEN REPORTS/REFERRALS

- Selectman McCall reported having attended a number of Community Preservation Committee meetings. Public hearings will be scheduled.
- The telemedia group has recommended Jack Fortin for appointment to the committee, said Selectman McCall. Mr. Lynch reported having received a number of applications for the opening.
- Selectman McCall passed on the concerns of residents on Highland Ave. over a proposed building project. The Board of Appeals has tabled the project until March, citing safety concerns. Mr. Lynch said that the project is under a comprehensive permit, which is not a typical project. There are provisions contained in a comprehensive for affordable housing projects which excluding them from certain Town restrictions and by-laws. The Board of Appeals has limited latitude over such projects.
- Selectman Eliopolous reported that Mass. Highway has unilaterally changed the low-salt restricted areas along Route 3. The low-salt area has been reduced to the area from Route 129 to Route 4. Selectman Eliopolous is seeking information from Mass Highway, specifically through Mary Carrier on why this was done and when it can be rectified.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, January 28, 2002 at 7 p.m. There being no further business, the Board voted by roll call vote to adjourn at 7:37 p.m.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

January 28, 2002

7:00 p.m. **Call to Order—Pledge of Allegiance**

Public Service Announcements
- Chelmsford High School Alumni Hall of Fame – 2002

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s)
- Board of Selectmen: November 5, 2001
  November 19, 2001
  December 3, 2001
  December 17, 2001
  January 14, 2002
- Executive Session: November 19, 2001
  December 3, 2001
  December 17, 2001

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

Scheduled Business

7:30 p.m. **Public Hearing:** Petition of Verizon New England & Mass Electric Company
Place and Remove Poles on Riverneck Road
Place Pole on McFarlin Road

8:00 p.m. Litigation Status Report – John Giorgio, Kopelman & Paige (Exec. Session)

Unscheduled Business
- Updated Fee Schedule
- BOS Vote: Marinel Avenue Temporary No Right Turn

Selectmen Reports/Referrals

Press Questions

Next Regular Meeting: **February 11, 2002**

**** This meeting is televised. *****

BOARD OF SELECTMEN MEETING MINUTES
JANUARY 28, 2002

A regular meeting of the Board of Selectmen was held on January 28, 2002 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager. Selectman Bill Dalton was not present.

PUBLIC SERVICE ANNOUNCEMENT

Chelmsford High School Alumni Hall of Fame - 2002

George Simonian came before the board to announce the 12th annual Chelmsford High School Alumni Hall of Fame to be held on Saturday, March 23 at 6 pm at the Doubletree Hotel in Lowell. The inductees to be honored at this year's event are as follows:

John P. Clancy, Jr.
Class of 1976
Robert A. Colbert
Class of 1974

John G. Harrington
Class of 1964
Lynn Mercier Marcella
Class of 1973
Mark T. Maybury
Class of 1982

Richard F. Molloy
Class of 1964
Janice L. Silva
Teacher
(Posthumously)
Robert B. Sullivan
Class of 1971
Rebecca A. Warren
Class of 1979

The "Golden Lion Award" is being awarded to Harry Ayotte for extraordinary service to the students of Chelmsford High School.

OPEN SESSION

Winterfest

Pam Armstrong, interim co-chair, came before the board to remind the community that Winterfest would be held the weekend of February 2nd and 3rd. A variety of events are scheduled for the weekend including a pancake breakfast, ice carvings, tearoom, chowder fest and a music showcase.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MINUTES

Board of Selectman: November 5, 2001
November 19, 2001
December 3, 2001
December 17, 2001
January 14, 2002

Selectman McCall made a motion to approve the minutes from the meetings of November 5, 2001, November 19, 2001, December 3, 2001, December 17, 2001, and January 14, 2002. Motion seconded. Selectman McCall corrected a misspelling in the minutes from January 14, 2002. Minutes approved as amended.

Executive Session: November 19, 2001
December 3, 2001
December 17, 2001

Selectman McCall made a motion to approve the minutes from the executive sessions of November 19, December 3 and December 17, 2001. Motion seconded and minutes approved unanimously.

TOWN MANAGER REPORTS

Budget

The Town should pick up substantial new revenue in motor vehicle excise tax. However, hotel/motel tax revenues are lagging. A revenue report would be delivered at the next meeting.

FY 03

An estimated $2.7 million shortfall was originally calculated for FY 03. Current estimates have brought that number down. Over the next several weeks the numbers should be brought in closer.

A bill has been introduced in the State Legislature to offer municipal employees an early retirement incentive program. It should come up for a vote in February or March. Five years would be added to an individual's age or length of service. This could prove to be a useful tool in reducing staff. There is, however, a cost to the Town in the long run if such a program were implemented. Also, there is a possibility that some of the vacated positions would eventually need to be filled.

The possibility of postponing Spring Town Meeting remains. Selectman Weisfeldt voiced his opposition to a postponement. Other members of the Board supported getting complete information and the most accurate numbers as the most prudent course to take.

Police Station

The police station project is ahead of the schedule due to the unusually mild weather.

SCHEDULED BUSINESS

Public Hearing: Petition of Verizon New England & Mass Electric Company-Place and Remove Poles on Riverneck Road, Place Pole on McFarlin Road

Kathy Frazier, right of way manager, Verizon New England, came before the board seeking approval for a pole petition to remove five poles and place five poles on Riverneck Road and install one pole on McFarlin Road. John Harrington requested to speak to Ms. Frazier following the meeting regarding pole placement near his property.

Selectman McCall made a motion to approve the Verizon New England Plan No. 986 Dated 1/3/02 to place five (5) poles and remove five (5) poles on Riverneck Road and place one (1) pole on McFarlin Road. Motion seconded and plan approved unanimously.

UNSCHEDULED BUSINESS

Updated Fee Schedule

Mr. Lynch introduced the updated fee schedule to the board. Some of the fees haven't been updated in more than ten years. The new schedule follows State statutes and guidelines. The increases help to cover the costs of the services provided by the permits. He thanked Tony Zagzoug, Chief McCusker, John Coderre and Charles Ferney for their hard work in preparing the fee study. Increases in Fire department permits are expected to bring in an additional $8,000 in revenue. The Building Department permit increases could produce an increase of $300,000.

Selectman McCall made a motion to approve the Fire department fee schedule as follows:

Fire Department

Service	Current Fee	FY '01 Revenue	Proposed Fee	Estimated Revenue
Residential Smoke Detector Inspection				
Single Family	$5	$4,750	$10	$9,500
Two Family	$10	$500	$20	$1,000
Three to Five Family	$15	$75	$25	$125
All others	N/A	0	$50	$0
Re-inspections	$5	0	$10	$0
Blasting Permits				
Initial Permit	$10	$250	$25	$625
Model Rocket Dealer	N/A	N/A	$10	$10
Cannon Firing Permit for 1 day	N/A	N/A	$10	$40
Temporary Space Heater Construction all expire May 1	N/A	N/A	$25	$125
Self Service Gas Station Approval and executing plans	$5	$5	$50	$50
Underground Storage Tanks				
Removal of UGST First Tank	$10	$350	$25	$875
Installation of New UGST Tank First Tank	$10	$50	$50	$500
Removal and Replace First Tank	$10	0	$50	$0
Above Ground Tank Inspection per year	N/A	N/A	$25	$50
Building Plan Review per plan	$5	$100	$25	$500
Sprinkler Plans				
7,501-25,000 sq. ft.	$5	$15	$50	$150
25,001-100,000 sq. ft.	$5	$10	$100	$200
100,000 sq. ft. and over	$5	$5	$150	$150
Lumberyards	N/A	N/A	$10	$10
Junkyards	N/A	N/A	$10	$10
Kindergartens	N/A	N/A	$10	$160
Total Revenue		$6,110		$14,080

Motion seconded and approved unanimously.

Selectman McCall made a motion to approve the Building department permit fee schedule on the following page.

Selectman McCall made a motion to approve the Fire department fee schedule as follows:

Fire Department

Service	Current Fee	FY '01 Revenue	Proposed Fee	Estimated Revenue
Residential Smoke Detector Inspection				
Single Family	$5	$4,750	$10	$9,500
Two Family	$10	$500	$20	$1,000
Three to Five Family	$15	$75	$25	$125
All others	N/A	0	$50	$0
Re-inspections	$5	0	$10	$0
Blasting Permits				
Initial Permit	$10	$250	$25	$625
Model Rocket Dealer	N/A	N/A	$10	$10
Cannon Firing Permit for 1 day	N/A	N/A	$10	$40
Temporary Space Heater Construction all expire May 1	N/A	N/A	$25	$125
Self Service Gas Station Approval and executing plans	$5	$5	$50	$50
Underground Storage Tanks				
Removal of UGST First Tank	$10	$350	$25	$875
Installation of New UGST Tank First Tank	$10	$50	$50	$500
Removal and Replace First Tank	$10	0	$50	$0
Above Ground Tank Inspection per year	N/A	N/A	$25	$50
Building Plan Review per plan	$5	$100	$25	$500
Sprinkler Plans				
7,501-25,000 sq. ft.	$5	$15	$50	$150
25,001-100,000 sq. ft.	$5	$10	$100	$200
100,000 sq. ft. and over	$5	$5	$150	$150
Lumberyards	N/A	N/A	$10	$10
Junkyards	N/A	N/A	$10	$10
Kindergartens	N/A	N/A	$10	$160
Total Revenue		$6,110		$14,080

Motion seconded and approved unanimously.

Selectman McCall made a motion to approve the Building department permit fee schedule on the following page.

Category of License / Permit	Est. # Annually	Chelmsford's Current fee	Estimated Annual Revenues	Recommended Fees	Estimated Revenues based on Recommended Fees
Building Permits				***Building Permits***	
Certificate of Inspection (1-5 yrs)	70	$40	$2,800.00	$50	$3,500
New Construction (including additions, alterations & repairs and foundations)	767	$7 per $1000 of value ($25 min)	$378,292.00	$12 per $1000 of value (min $25 res; $75 comm)	$648,500
Demolition		$7 per $1000 of value ($25 min)	Included above	$12 per $1000 of value (min $25)	Included above
Certificate of Use and Occupancy	Included above	$40	Included above	$50 Residential; $100 Comm.	Included above
Wood or Coal Burning Stove	30	$25	$750.00	$25	$750
Re-inspection	3	$10	$30.00	$25	$75
Total FY01 Building Permits	**870**	**Building Subtotal**	**$381,872**	**Est. Building Subtotal**	**$652,825**
Gas Permits				***Gas Permits***	
Hot Water Tanks		$12 (plus $12 for plumbing)		$15 (plus $15 for plumbing)	
New Residential Structures		$25/dwelling unit, 3 fixtures; $5 each additional fixture		$40 for 1st fixture; $6 for each additional	
Existing Residential Structures		$20/dwelling unit, 1-2 fixtures; $5 each additional fixture		$40 for 1st fixture; $6 for each additional	
New Commercial Structures		$40 for 1-2 fixtures; $5 each additional fixture		$60 for 1st fixture; $8 for each additional	
Existing Commercial Structures		$30 for 1-2 fixtures; $5 each additional fixture		$60 for 1st fixture; $8 for each additional	
Plumbing Permits				***Plumbing Permits***	
Single Fixture		$12		$25	
Hot Water Tanks		$12		$15	
New Residential Structures		$24 for 1-7 fixtures; $5 each additional fixture		$40 for 1st fixture; $6 for each additional	
Existing Residential Structures		$12 for 1-3 fixtures; $5 each additional fixture		$40 for 1st fixture; $6 for each additional	
Commercial and Industrial		$24 for 1-4 fixtures; $5 each additional fixture		$60 for 1st fixture; $8 for each additional	
Sewer Connections		$12		$25	
Outdoor Irrigation Systems		$12		$40	
Total FY01 Gas/Plumbing Permits	**1075**	**Gas/Plumbing Subtotal**	**$26,407**	**Est. Gas/Plumbing Subtotal**	**$42,251.20**

Motion seconded and fee schedule approved unanimously.

BOS Vote: Marinel Avenue Temporary No Right Turn

North Chelmsford is receiving a great deal of cut-through traffic due to the Route 3 construction. Residents of Marinel Avenue and Dunstable Road are very concerned about the volume and speed of the traffic in the area particularly near a school bus stop. The Traffic & Safety Unit has studied the area and recommended there be a right turn restriction from Dunstable Road onto Marinel Avenue between 7:45 am and 8:45 am. for a six month period. At the end of this six-month period the situation will be reviewed and the restriction either extended or ended. The board suggested that the time be extended to an even hour with Selectman Weisfeldt strongly recommending that it be extended out to 7 am.

Selectman McCall made a motion to institute a temporary "No Right Turn" restriction on Dunstable Road at the intersection of Marinel Avenue from 7:30 a.m. to 9:00 a.m. for a six month period effective immediately. Motion seconded. Selectman Weisfeldt recommended that the restriction start at 7:00 a.m. due to a concern for high school students who board the bus at that hour. Motion approved with 3 ayes and 1 nay.

SELECTMEN REPORTS/REFERRALS

- Selectman Weisfeldt reported his attendance at the Sewer Commission meeting. A number of people haven't responded to sewering. Notification has been sent of possible legal action to those not in compliance. In most cases, compliance seems to follow such notification.

- Selectman Eliopolous reported on possible temporary road closures in town due to Route 3 construction. The roads would be open to emergency vehicles. Modern Continental will post such closures a few days in advance. They've been closing the streets after nine and finishing up at two to work around the bus schedules. The sound barrier study will be discussed at the next PAC meeting.

  A meeting has been scheduled to discuss the salt issue with Mass Highway. There has never been a no-salt policy along this corridor of Route 3. Mass Highway agrees there is reason for one in the area. Selectman Moran requested that Selectman Eliopolous check on the installation of a privacy fence at the rest area near Steadman Street.

- Selectman McCall reported the Community Preservation Committee would be putting together an informational flyer explaining the Community Preservation Program. Included, would be financial projections and possible projects that the money could be spent on. Mr. Lynch pointed out that any expenditures would be voted on at Town Meeting.

- Selectman Moran said that the matter of a train station was not mentioned at the last NMCOG meeting. The results of the feasibility study haven't been released. Mr. Lynch said he would contact the MBTA about it. Mr. Moran went on to say that NMCOG released a regional traffic volume report.

- Selectman Moran commented on some misinformation reported in *The Sun* regarding the contract award for the restoration of the Forefather's Cemetery. Twenty thousand dollars of the $38,000 came from a grant and $18,000 from a Town Meeting vote. The Selectmen did not independently appropriate $38,000 of Town money for the project.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, February 11, 2002 at 7 p.m. The board voted by roll call vote to go into an executive session for the purpose of hearing a litigation status report by John Giorgio of Kopelman & Paige (PE-aye, MM-aye, TM-aye and SW-aye). There being no further business the board voted to adjourn at 8:15 p.m.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

January 27, 2003

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

- Presentation of Brick Kiln Cup: James F. O'Donnell, Chairman
  Billerica Board of Selectmen
- Certificate of Appreciation: Carol Cleven
- CHS Hall of Fame: George Simonian

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s)

- Board of Selectmen: October 15, 2002 November 4, 2002
  October 21, 2002 November 13, 2002
  November 18, 2002

Town Manager Reports

- Designer Selection Procedures

Town Manager Appointments

Town Manager Bids/Contract Awards

Scheduled Business

7:00 p.m. Public Hearing: Mass. Electric Company Petition, Place One Pole

7:35 p.m. Application for One-Day Beer & Wine License: Chelmsford Public Library

7:40 p.m. Application for All Alcoholic Restaurant License: Mama's Italian Grill
285 Chelmsford Street

7:55 p.m. Application for Two One-Day All Alcohol Licenses, St. John's Church

Unscheduled Business

- Appointment of Deputy Constables
- Vote Special Election

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Meeting: Monday, February 10, 2003

** This meeting is televised. **

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

February 19, 2002

REVISED

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Town of Chelmsford Scholarship Month – March 2002

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s)
- Board of Selectmen: January 28, 2002
- Executive Session: January 28, 2002

Town Manager Reports

Town Manager Appointments
- SSBC Alternates

Town Manager Bids/Contract Awards

Scheduled Business

7:30 p.m. Request for One-Day Alcohol License – St. John the Evangelist Church

7:45 p.m. Discussion of Ciro's Restaurant

Unscheduled Business
- Berkeley Drive Area Phase 4D Sewers – Orders of Taking
- Discussion of Spring Town Meeting Warrant
- Board of Selectmen Meeting Schedule – March, April, May

Selectmen Reports/Referrals

Press Questions

Executive Session

****

BOARD OF SELECTMEN MEETING MINUTES
FEBRUARY 19, 2002

A regular meeting of the Board of Selectmen was held on February 19, 2002 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present was Bernard Lynch, Town Manager.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETING

Board of Selectman: January 28, 2002

Selectman McCall made a motion to approve the minutes from the regular meeting January 28, 2002. Motion seconded, minutes approved unanimously with one abstention.

Executive Session: January 28, 2002

Selectman McCall made a motion to approve the minutes from the executive session of January 28, 2002. Motion seconded, minutes approved unanimously with one abstention.

PUBLIC SERVICE ANNOUNCEMENTS

Town of Chelmsford Scholarship Month - March 2002

Selectman McCall read a proclamation declaring March Chelmsford Scholarship Month. The Chelmsford Scholarship Fund awards scholarships to students pursuing a college education, and are based on a student's financial need, achievement, character, and acceptance to a college. The fund was established in 1957 and is funded through voluntary contributions. Scholarships awarded in 2001 totaled $44,000.

Neil Lehrer, 4 Manahan St. took the podium and thanked the board for their support. He encouraged residents to both donate to the fund and for those interested to apply. More than two thirds of those applying received scholarships in the past year.

TOWN MANAGER APPOINTMENTS

SSBC Alternates

The chairman of the Secondary School Building Committee has requested that alternates from the School Committee, Finance Committee and BOS be appointed to the SSBC. Kevin Porter and Sheila Pichette have been recommended from the Finance Committee and School Committee. Selectman Moran sought a volunteer from the BOS to serve as an alternate to Selectman Dalton.

Selectman McCall made a motion to approve the appointment of Kevin Porter, Sheila Pichette and Thomas Moran as alternates to the SSBC. Motion seconded and approved unanimously.

SCHEDULED BUSINESS

Approval of Temporary Borrowing for the Police Station

Selectman McCall made a motion to approve the borrowing of $3 million for a period of 60 days at a rate of 2.3% from Fleet National Bank to fund the police station project. Motion seconded and approved unanimously.

Request for One-Day Alcohol License - St. John the Evangelist Church

Pat Jamros, 19 Dunstable Road came before the board seeking approval for a One-Day Alcohol License for St. John the Evangelist Church for the purpose of a St. Patrick's Day dance.

Selectman McCall made a motion to approve the One-Day Alcohol License for St. John the Evangelist Church on March 16 from 6 pm to 12 am. Motion seconded. License approved unanimously.

Discussion of Ciro's Restaurant

Richard Bowen of Kopelman and Paige came forward to advise the board regarding the feasibility of holding a disciplinary hearing against Ciro's Restaurant at the Concord St. and Chelmsford St. locations. It has come to the board's attention that Ciro's is no longer in operation at the Concord St. location. The board is seeking to revoke the liquor license. Mr. Bowen stated that information from the Secretary of the States office indicating that Ciro's Inc. has ceased to exist as a legal corporate entity as of August 31, 1998. Ciro's failed to file annual reports to the Secretary of the States office leading to its involuntary dissolution. As the Ciro's location on Chelmsford St. operates under the same corporate name, their status should be explored as well. Mr. Bowen advised the board to vote to hold a disciplinary hearing on those grounds, notify the successors and assigns of the sections of the law in violation and have them come in at the hearing, be sworn in and answer questions.

Selectman McCall made a motion to hold a disciplinary hearing for the successors and assigns of Ciro's Inc, 170 Concord Road and on March 11, 2002. Motion seconded, motion to hold disciplinary hearing approved unanimously.

Dutch Uncles - Disciplinary Hearing

Dutch Uncles, Inc. is no longer operating at the 5 Courthouse Lane location.

Selectman McCall made a motion to hold a disciplinary hearing regarding Dutch Uncles, 5 Courthouse Lane and its successors and assigns for the purpose of discussing the liquor license. Motion seconded and approved unanimously.

TOWN MANAGER REPORTS

Budget

The Town Manager reported that a budget would be presented to the Finance Committee on February28th. Budgeting for FY 2003 has been a challenge. A greater challenge will come in planning the next few years after that. Chelmsford has not been unique in this struggle. Many communities are in worse shape and are seeking overrides. There won't be an override this year for Chelmsford. For the most part, receipts are down. Building permits are down which is indicative of the overall economic condition.

This year, approximately $1.5 million will be used from the stabilization fund. This was a planned use and a mechanism is in place to continue contributing to the stabilization fund. There is a balance between how much should be used from the stabilization fund and how the funds are used.

Capital Budget

There is $2.5 million targeted for the capital budget each year. The capital budget plan was distributed to the board for its perusal. Every item on the capital budget will be reviewed by the Capital Planning Committee.

Chelmsford Country Club

Rounds at the Country Club have gone up from 18,000 in 1996 to 23,250 for the year 2001. This is especially good news considering the poor weather in March and April of 2001. This year the green fees will be adjusted, bringing them in line with area municipal courses. The course has a very active junior and senior program. The Country Club has been a very good investment for Town. This year profits have exceeded the $50,000 minimum to the Town.

Center Project

The State has once again delayed the bid process for the Center Project. A Summer 2002 start date is still a possibility. The delay may be a mixed blessing given the effect of the Route 3 project on traffic conditions.

UNSCHEDULED BUSINESS

Berkeley Drive Area Phase 4 D Sewers - Orders of Taking

Selectman McCall made a motion to approve the orders of taking for the Berkeley Drive Area Phase 4D sewers. Motion seconded and approved unanimously.

Discussion of Spring Town Meeting Warrant

The Spring Town Meeting will be held as is customary in April. Mr. Lynch read through a draft of the Spring Town Meeting Warrant. The board will have an opportunity to study the articles more carefully before voting on the warrant at the meeting of March 11th.

Board of Selectmen Meeting Schedule - March, April, and May

A regular meeting of the board is scheduled for March 11th. Mr. Lynch suggested a meeting prior to Town Meeting with the School Committee and the Finance Committee. Possible dates include March 13 or 18. The Town Manager would consult with the other boards and confirm a date. Selectman Moran requested that the local Legislative reps be included in the meeting. Mr. Lynch agreed.

REFERRALS

- Selectman Weisfeldt said the Friends of the Library put on a very nice event with their "Elegant Evening of Jazz".
- Selectman Dalton requested that the Town Manager look into the problems faced by residents on Butterfield Street and Marinel Avenue.

- Selectman McCall reported that the Community Preservation Committee is continuing work on an informational brochure.
- Selectman McCall reported having spoken recently with Senator Fargo. The Legislature is planning a 10% decrease in State Aid across the board. This lead to a discussion by the Town Manager and Board on how best to address this.
- Selectman Eliopoulos reported that the Route 3 project continues to come in under budget and on schedule. The Steadman St. Bridge will be closed soon for demolition. This is the first real challenge to the traffic situation in Chelmsford. Selectman Eliopoulos made a motion to exclude trucks from Smith St. starting March 1 for the duration of the demolition and lift the truck exclusion on North Road for the same period. Motion seconded and approved unanimously.
- The salt use issue on Route 3 has been rectified with the expansion of the no salt range, reported Selectman Eliopoulos.
- Selectman Moran requested that something be done about the disgraceful condition of the Ferreira Towing establishment on Route 110. The Town Manager replied that the establishment is on notice and further legal action will be taken if the bylaw violations are not addressed.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, March 11, 2001 at 7:00 p.m. There being no further business the meeting adjourned at 8:55 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

March 18, 2002

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Chelmsford High School Boys Swimming & Diving Team
  Division I State Champions

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s)
- Board of Selectmen: February 19, 2002

Town Manager Reports

Town Manager Appointments
- Recycling Committee
- Cultural Council

Town Manager Bids/Contract Awards
- Old Town Hall Air Conditioning

Scheduled Business

7:30 p.m. Application for Common Victualer License – Chaulkie's Restaurant
257 Littleton Road

7:40 p.m. Application for Common Victualer License – The Commons Café
61 Central Square

7:45 p.m. Public Hearing - Verizon Petition to Install Underground Conduit,
Westford Street

Unscheduled Business
- BOS Vote: Spring Town Meeting Warrant

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Regular Meeting: April 1, 2002

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
MARCH 18, 2002

A regular meeting of the Board of Selectmen was held on March 18, 2002 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Philip Eliopoulos, William Dalton, Michael McCall, Thomas Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETING

Board of Selectman: February 19, 2002

Selectman McCall made a motion to approve the minutes from the regular meeting of February 19, 2002. Motion seconded, minutes approved unanimously with one abstention. (W. Dalton abstained).

PUBLIC SERVICE ANNOUNCEMENTS

Chelmsford High School 2001 Division I State Championship Swimming and Diving Team

Selectman McCall read a proclamation congratulating the 2001 Chelmsford High School Swimming and Diving Team, and their coaches, on winning the Division I State Championship. The following team members accepted certificates of congratulations from the Board:

Chris Cakounes	Matthew Lovett
Thomas Cakounes	Matthew Murphy
Braden Chagnon	Michael Pray
Russell Fleming	Kent Reardon
Matthew Freitas	Eric Sullivan
Peter Gollands	Sean Sullivan
Alan Johnson	Craig Vitale
Charles Kinnett	

Also congratulated but not present were Arthur Chadbourne, Louis (Bryan) Martinez, Adam Quaden, and Michael Scarber. Coach David Scaplen and Assistant Coach Mike Wardwell were also recognized. Coach Scaplen thanked the Board and for inviting them to the meeting. He stated that he was very proud of the Swimming Team's achievement, especially since he had been a member himself as a CHS student. He thanked the school and Jack Fletcher for giving him the opportunity to coach.

TOWN MANAGER APPOINTMENTS

Recycling Committee

The Town Manager requested the Board vote to approve his appointment of John Jarok, Ronald Goodner and Kathy Brough to the Recycling Committee. John Coderre will no longer serve on the committee.

Selectman McCall made a motion to approve the Town Manager's appointment of John Jarok, 103 Westford Street; Ronald Goodner, 2 Brush Hill Road and Kathy Brough, 14 High Street to the Recycling Committee. Motion seconded and appointments approved unanimously.

Cultural Council

The Town Manager requested the Board vote to approve his appointment of Anne Marie Messier to the Cultural Council. Selectman McCall made a motion to approve the Town Manager's appointment of Anne Marie Messier, 15 Dalton Road, to the Cultural Council. Motion seconded, appointment approved unanimously.

TOWN MANAGER BIDS/CONTRACT AWARDS

Old Town Hall Air Conditioning

The Town Manager recommended the bid award for the Old Town Hall Air Conditioning to Felite Brothers for the amount of $30,937.80.

Selectman McCall made a motion to approve the bid award to Felite Brothers for the Old Town Hall Air Conditioning project for the amount of $30,937.80. Motion seconded and approved unanimously.

SCHEDULED BUSINESS

Application for Common Victualer License - Chaulkie's Restaurant - 257 Littleton Road

Lawrence Chaulk, 12 Linden St., came before the board to request approval for a common victualer license for the operation of Chaulkie's Restaurant, 257 Littleton Road.

Selectman McCall made a motion to approve the common victualer license for Chaulkie's Restaurant, 257 Littleton Road, for the hours of operation on Sunday 5 am - 11 pm and weekdays from 5 am - 11 pm. Motion seconded, license approved with one abstention. (P. Eliopolous abstained).

Application for Common Victualer License - The Commons Café - 61 Central Square

Kelly White, speaking on behalf of Rose MacCauley and Barbara Barbas came before the Board seeking approval for a common victualer license for the The Commons Café, 61 Central Square.

Selectman McCall made a motion to approve the common victualer's license for The Commons Café, 61 Central Square for the hours of operation from 4 am - 8 pm Sundays and 4 am - 8 pm weekdays. Motion seconded and approved unanimously.

Public Hearing - Verizon Petition to Install Underground Conduit, Westford St.

Kathy Frazier, Right of Way Manager for Verizon New England, came before the board to seek approval for a petition to install 5 feet of underground conduit on the corner of Westford St. and Brothers Lane.

The Town Manager related the concerns of an abutter that the work be contained within the right of way. Ms. Frazier said the scope of the work was within the right of way.

Selectman McCall made a motion to approve the petition of Verizon for the installation of 5 ft. of underground conduit at the corner of Westford St. and Brothers Lane (Plan 987 dated 2/20/02). Motion seconded and approved unanimously.

Double Pole Report

Ms. Frazier reported that there were 107 double poles remaining as of a January report. The double pole computer program was down leaving her unable to get a recent report. The report says there are 18 poles with fire alarms attached. Mr. Lynch said he would notify the Fire Chief.

TOWN MANAGER REPORTS

Budget

The Town Manager presented the board with a current financial report for the Town. The $3.1 million shortfall has been closed with the revised revenue projection, which brings in an additional $1.9 million. A $2.1 million budget reduction closes the remaining gap. The Town Manager reviewed the numbers in detail.

Chelmsford has been able to stay below the 2.5% tax levy increase. This year the Town will come up to the 2.5%. New growth won't be as strong as it has been in the past but it is hoped that it can be pushed to $750,000. There is a projection of $15 million in State Aid, which is below the $16 million of the previous year. It is important to note that local aid has diminished as a proportion of the state budget. Free cash will be used to cover one-time expenses. There is a projected 2% growth in local receipts to $6.65 million.

On the expenditure side, most Union personnel will receive a 4% cost of living increase per their contract negotiations. Non-Union personnel will not be receiving a cost-of-living increase in FY03. There has been a 3% reduction in municipal administration. Reductions have been made in most outlay accounts.

There is an increase of 3% in the Public Safety budget despite reductions. The plan overall is to avoid lay-offs and reduce personnel expenses through attrition. The Public Works Department has an increase of 5%, most of which is attributed to waste collection contracts and the self-funded Sewer Division. The Community Services Department has been cut by 2% with the reduction of one position. The Library budget has been reduced by 4%. Positions have not been filled and hours are being reduced. The MacKay Library hours have been reduced to 3 days. The Adams library could be closed on Sundays.

There is a projected increase of 2% to the education budget. The budget is increased from an original projection of $613,000, to $736,000. In addition there could be some early retirement costs. In other expenses, there are projected increases in undistributed costs of up to 12%. Health insurance could go up 13%. Debt service is going up 14%.

Stabilization Fund

A copy of a memo regarding the parameters for use of the Stabilization Fund was distributed to the Board. The largest changes to the budget come from the use of the Stabilization Fund. The goal for the Stabilization Fund is to establish a safety net, not to be used for Operating budget items, but for one-time only expenses. The fund would be held to no less than 5% of the Operating budget. The Town Manager emphasized that clear guidelines be established as to how the Stabilization Fund can be used. The board favored clear guidelines and supported setting a floor, but members felt it unrealistic to say that the fund would never dip below the 5% threshold. The Town Manager stated the policy would strongly discourage dipping below the 5%. A question was raised as to how the existence and use of the Stabilization Fund affects the bond rating. The Town Manager responded that the bond rating agencies look to see where and

how much the reserves are. A healthy, well-managed Stabilization Fund results in a better bond rating, which further results in lower interest rates on loans.

Financial Policies

The Town Manager distributed the revised financial policies for the Board's perusal. The Board will vote on the policies at the next meeting.

UNSCHEDULED BUSINESS

BOS Vote: Spring Town Meeting Warrant

The Town Manager reviewed the articles on the April Town Meeting Warrant. Selectman McCall made a motion to post the April Town Meeting Warrant. Motion seconded and approved unanimously.

REFERRALS

- Selectman Dalton reported a number of calls concerning carelessness on the part of Russell Disposal. Barrels are tossed all over the place. J. Coderre said a formal letter had been sent to Russell putting them on notice. B. Lynch pointed out that this has been an ongoing problem with all the waste management companies.
- Selectman Dalton said Butterfield St. had been patched and the residents are pleased with the temporary fix. As it is up for sewer work, the street wasn't repaved.
- Selectman Dalton asked whether tax payments can be made by credit card. B. Lynch responded they could not. It would create a revenue loss due to the charges levied by the charge card companies.
- The SSBC toured the school project in Acton, reported Selectman Dalton. The principal said the hardest part of the project has been phasing. The middle school is being renovated while the elementary school is built new. The SSBC would be selecting an option by the end of summer and present it at Fall Town Meeting. The plan would be submitted to the SBAB at that point.
- Selectman Weisfeldt said the Commission on Disabilities is distributing SPEDPAC scholarship applications for 2002. A member of the commission has been appointed to a federal committee on access rules. The commission is filing a complaint against Ciro's for the broken elevator. The elevator is the only way to access the restrooms.
- Selectman Weisfeldt said the mild winter weather has enabled the Sewer Commission to work at a good pace.
- Selectmn McCall attended the Library Trustees at which the budget cuts and reduced hours were discussed.
- Selectman McCall reported a public hearing would take place describing the Community Preservation Act and the committee's mission.
- Selectman Eliopoulos reported on a meeting with Senator Susan Fargo. He emphasized to her the importance of sound barriers and the Center Project.
- Selectman Moran reported that the sidewalks in the Westlands need work. B. Lynch said that the area would be first on the list once it was warm enough to hot top.

- Selectman Moran requested that trash dumping on the back side of Freeman Lake be investigated.
- Selectman Eliopoulos questioned whether Modern Continental was following State procurement law in seeking bids for the rest area along Route 3. B. Lynch said they weren't bound by State guidelines.
- Selectman Moran followed up on Ferreira Towing on Route 110. B. Lynch said they had until mid-April to get the site cleaned up.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, April 1, 2002 at 7:00 p.m. There being no further business the meeting adjourned at 9:30 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

April 1, 2002

Revised*

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

- Team*Walk* for Cancer Care 2002
  Nancy Mangold, Coordinator, Lowell General Hospital
- Proclamation: Arbor Day, April 26, 2002
  Joyce Ringleb, Arbor Day Chairman, Chelmsford Garden Club

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s)

Town Manager Reports

Town Manager Appointment

Town Manager Bids/Contract Awards

Scheduled Business

7:15 p.m. Approval of Borrowing – F. Mansfield, Treasurer

7:25 p.m. Public Hearing: Street Acceptance, Arthur Avenue

7:30 p.m. Public Hearing: Application for All-Alcohol Common Victualer License
Sombrero's, 170 Concord Rd.

7:45 p.m. Public Hearing: Application for Aboveground Storage License
Mass. Paving,19 Progress Avenue

7:50 p.m. Application for One-Day Alcohol License, St. Vartanantz Armenian Church

7:55 p.m. Application for Annual Auctioneer's License – James R. Banyas, Jr.

7:55 p.m.* Application for Annual Auctioneer's License – Dennis J. Higgins

** This meeting is televised. **

Unscheduled Business

- BOS Votes:
  1. Financial Policies
  2. Acceptance of Forfeiture of Alcohol License, Dutch Uncles, Inc.
  3. Acceptance of Forfeiture of Alcohol License, Ciro's (170 Concord Road)

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Regular Meeting: **April 22, 2002**

*** This meeting is televised. ***

BOARD OF SELECTMEN MEETING MINUTES

APRIL 1, 2002

A regular meeting of the Board of Selectmen was held on April 1, 2002 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

PUBLIC SERVICE ANNOUNCEMENTS

Team Walk for Cancer Care 2002

Christine Scaplen, 87 Dalton Road, came before the board to announce the third annual Team Walk for Cancer Care to be held Sunday May 19, 2002 at 9:30 am. Proceeds from the event go towards the direct care of local cancer patients and their families. Some of the products and services these funds provide are wigs, prescription drugs, transportation, support groups, education and cancer prescreening programs.

The six-mile walk begins at Tsongas Center in Lowell. Sign-up sheets are available at area businesses. Refreshments and food will be donated by local businesses.

Proclamation: Arbor Day, April 26, 2002

Selectman McCall read a proclamation declaring that Arbor Day would be celebrated on Friday, April 26, 2002. Joyce Ringleb, representing the Chelmsford Garden Club, accepted the proclamation and said in honor of the day a historic apple tree would be planted at the Garrison House. The planting will take place on the 26th at 4:00 p.m.

SCHEDULED BUSINESS

Approval of Borrowing - F. Mansfield, Treasurer

Fred Mansfield reported that in the pursuit of the bond sale the Town received a rating from two independent sources. Chelmsford received a bond rating of AA3 from Moody's and a Standard & Poor rating of AA. The credit rating is based in part on the Town administration, demographics and the planned use of the Stabilization Fund. The excellent rating translates into lower interest rates. This is important when taking on a $24,750,000 bond issue, the largest in Town history.

Selectman McCall made a motion to approve the sale of the $24,750,000 Municipal Purpose Loan of 2002 dated April 1, 2002, to Solomon Smith Barney, Incorporated at the price of $24,898,526.90 and accrued interest is hereby confirmed. The bonds shall be payable on April 1 of the years and in the principal amounts and bear interest at the respective rates as listed, subject to earlier redemption at the option of the Town as provided in the Preliminary Official Statement dated March 12, 2002. Further moved, that the consent dated March 27, 2002 to the financial advisor bidding for bonds is hereby confirmed. Motion seconded, motion approved unanimously.

Public Hearing: Street Acceptance, Arthur Avenue

Jim Pearson, Town Engineer, came before the board to discuss the proposed acceptance of Arthur Avenue as a public way. This is Article 17 on the Spring Town Meeting Warrant. Arthur

Avenue is a 10-lot subdivision located off Concord Road and Hazen Rd. The road is 800 feet long and 22 feet wide with a sidewalk. The Planning Board holds a $64,000 bond. Mr. Pearson supported the acceptance of Arthur Avenue.

Selectman McCall made a motion to approve the acceptance of Arthur Avenue as a public way. Motion seconded and approved unanimously.

Public Hearing: Application for All-Alcohol Common Victualer License, Sombrero's, 170 Concord Rd.

Vincent Cicerchia came before the board to request an All-Alcohol Common Victualer License for Sombrero's, 170 Concord Road. The space was formerly occupied by Ciro's Restaurant. Mr. Cicerchia also owns Vincenzo's Restaurant. Jim Shays, 2 Peders Place came forward to ask about the hours of operation. Sombrero's will keep the same hours of operation as the former Ciro's. The board agreed to waive the two-week waiting period given Mr. Cicerchia's experience in the restaurant business and his reputation in the community.

Selectman McCall made a motion to approve the All-Alcohol Common Victualer License for A.U.C. Inc. d/b/a Sombrero's for the hours of operation of 11 a.m.-1 a.m. weekdays and 12 p.m.-12 a.m. Sundays. Motion seconded and approved unanimously.

Public Hearing: Application for Aboveground Storage License, Mass. Paving, 19 Progress Avenue

Michael Hull came before the board to request a license for Aboveground Storage for Mass Paving, 19 Progress Avenue. This is a pre-existing tank and the fire chief has signed off on all approvals.

Selectman McCall made a motion to approve the Aboveground Storage License for a 500-gallon tank for the storage of fuel oil as approved by the fire chief. Motion seconded and license approved unanimously.

Application for One-Day Alcohol License, St. Vartanantz Armenian Church

Ara Jeknavorian came before the board to request a One-Day Alcohol License for St. Vartanantz Armenian Church for Thursday, April 18th. Richard Madanjian was introduced as he will be responsible for serving at the event. His TIPS certificate was presented to the board.

Selectman McCall made a motion to approve a One-Day Alcohol License for St. Vartanantz Armenian Church for Thursday, April 18th for the hours of 6 pm-12 am. Motion seconded and approved unanimously.

Application for Annual Auctioneer's License, James R. Banyas, Jr.

Selectman McCall made a motion to approve the Annual Auctioneer's License for James R. Banyas, P.O. Box 608, Groton MA. Motion seconded and approved unanimously.

Even though this is a fairly routine annual renewal, the board requested that Mr. Banyas appear in person next year when his Auctioneer's License comes up for approval at a Selectmen's meeting.

Application for Annual Auctioneer's License, Dennis J. Higgins

Dennis J. Higgins of Advanced Assets Services came before the board to request approval for an Annual Auctioneer's License. An auction will be held at Picturetel, 2 Industrial Avenue, on

April 9th for the sale of office and computer equipment. There will also be a web simulcast. Mr. Higgins has a State Auctioneer License.

Selectman McCall made a motion to approve an Annual Auctioneer's License for Advanced Assets Services, 110 Winn St. Suite 104, Woburn, MA. Motion seconded and approved unanimously.

TOWN MANAGER REPORTS

State Budget

The State budget forecast continues to look bad. The House warns of a "worst case scenario" budget. No new taxes are in the budget. Predictions are dire for state aid. The highway funds are predicted to be wiped out. The Town will continue to monitor the State.

The board asked if there were any news on the early retirement program. Mr. Lynch stated that Price Waterhouse had been requested to provide consulting on how the program could be used in Chelmsford.

UNSCHEDULED BUSINESS

Financial Policies

Selectman McCall made a motion to approve the Town of Chelmsford Financial Management Policies and Objectives including paragraph A-1, accepting the GASB Statement 34 by FY 03 and further accepting B-3 which amends the Stabilization Fund reserves to be maintained between 5 and 10 percent and strive to maintain the net non-exempt debt at 3 percent of the tax levy. Motion seconded and approved unanimously.

Acceptance of Forfeiture of Alcohol License, Dutch Uncles, Inc.

Selectman McCall made a motion to accept the Forfeiture of the All Alcohol License for Dutch Uncles, d/b/a Crunches, 5 Courthouse Lane, as they are no longer in business at this location. Motion seconded. Forfeiture accepted unanimously.

Acceptance of Forfeiture of Alcohol License, Ciro's (170 Concord Road)

Selectman McCall made a motion to accept the Forfeiture of the All Alcohol License for Ciro's Inc., 170 Concord Road, as the restaurant is no longer in operation. Motion seconded. Forfeiture accepted unanimously.

REFERRALS

- Selectman Weisfeldt said the sewer work is progressing ahead of schedule. The Commission on Disabilities has filed a complaint against Ciro's, 185 Chelmsford Street, due to lack of handicap access to the restrooms because of a broken elevator.
- Selectman Weisfeldt commended the Board of Health for adopting clear and stringent guidelines for the tattoo industry. Other communities have run into difficulties with tattoo parlors.
- Selectman Dalton reported the SSBC is finding itself in an awkward position given the content of the recent two-page advisory issued by the SBA. The advisory states basically that neither funding nor a place on the list of projects to be funded is guaranteed. The committee is looking for guidance from both the Town and the schools on where to take the project.

- Selectman Dalton requested that the situation at the MacKay Library be addressed, as it is a cause of concern for some residents. Mr. Lynch responded the library's budget has increased dramatically in recent years, primarily due to the Adams Library. There was some thought that the MacKay would be closed entirely but the trustees are committed to keeping this branch open as much as possible. It is important to note that it is very unusual for a community of this size to have a branch library at all. Selectman Moran pointed out that the trustees are given a budget number to work with and then they must decide how to best work with that number. Mr. Lynch added that the trustees handled this very well. Selectman McCall mentioned the trustees have chosen to use library trust funds to fund some exterior maintenance including siding and windows.
- Selectman McCall passed on resident concerns over the alterations to the soccer fields on Highland Ave. Mr. Lynch said the plans would be reviewed as it is Town land.
- Drought warnings and water rationing are a community concern, and in response, Selectman McCall suggested that the Water districts be invited to a future meeting and report on these issues. The Board concurred with the suggestion and further suggested that the districts provide an update on the water study and accessing the Merrimack River.
- Selectman Eliopoulos requested an updated paving list for 2003 and 2004. Tree clearing has been conducted on the Drum Hill Rotary. The footing will be installed soon. Stedman St. will be closed April 3rd. He went on to suggest having a representative from Modern Continental come to a Board meeting to provide an update.
- Selectman Eliopoulos suggested a certificate of appreciation be issued to Attorney McClure for taking on litigation on behalf of the citizens of Chelmsford against the State on the Redistricting Plan.
- Selectman Moran requested the annual legislative letter be sent earlier than usual and include language about a train station if the station receives a favorable report.
- Selectman Moran said progress was continuing on the bike trail. The project is scheduled to be heard at an upcoming Conservation Commission meeting.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, April 22, 2002 at 7:00 p.m. There being no further business the meeting adjourned at 9:00 pm.

Respectfully submitted,

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES
April 3, 2002

The reorganization meeting of the Board of Selectmen was held on April 3, 2002 at the Town Offices at 7:00 p.m. Board members present were Stuart Weisfeldt, William Dalton, Philip Eliopoulos, Michael McCall and Thomas Moran. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

SCHEDULED BUSINESS

Board Reorganization

Selectman Thomas Moran opened nominations for Chairman. Selectman McCall nominated Bill Dalton for Chairman. Motion seconded by Stuart Weisfeldt and passed unanimously.

Selectman Dalton assumed the duties of Chairman and opened nominations for Vice Chairman. Selectman Moran nominated Michael McCall for Vice Chairman. Motion seconded by Stuart Weisfeldt and passed unanimously.

Selectman Dalton opened nominations for Clerk. Selectman Weisfeldt nominated Thomas Moran for Clerk. Motion seconded by Philip Eliopoulos and passed unanimously.

Following the reorganization vote, Board members took their new places.

There being no further business before the Board, Selectman McCall motioned to adjourn, seconded by Stuart Weisfeldt. The meeting adjourned at 7:15 p.m.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, April 22, 2002 at 7:00 p.m.

Respectfully submitted,

John Coderre

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

April 22, 2002

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Upcoming Events: Ann Page, Recycle Coordinator

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s)

Town Manager Reports

Town Manager Appointment

Town Manager Bids/Contract Awards

Scheduled Business

7:05 p.m. John Greeley, Modern Continental: Presentation of Drum Hill Circle Construction

7:30 p.m. Public Hearing: Application of AT&T Broadband for Transfer of Control of Cable Television License to AT&T ComCast

7:45 p.m. Public Hearing: Street Acceptance, Arrowhead Circle

7:50 p.m. Application for Transfer of Common Victualer License: The Common Cup Café, 27 Vinal Square

Unscheduled Business

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Meeting: April 29, 2002
(Joint with School Committee and Town Moderator)

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES

APRIL 22, 2002

A regular meeting of the Board of Selectmen was held on April 22, 2002 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Michael McCall, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager. Board members absent were Bill Dalton and Tom Moran.

PUBLIC SERVICE ANNOUNCEMENTS

Upcoming Events: Ann Page, Recycle Coordinator

Ann Page, Recycling Coordinator came before the board to announce the annual Town Clean-Up to be held Saturday, May 4th from 9 a.m. - noon. Following clean-up, volunteers are invited to the Elks for food, fun and prizes.

Other events on the 4th include HHW collection and leaf collection. Recycling drop off will be held on May 18th in the lower parking lot behind Town Offices.

OPEN SESSION

Dave McLaughlin-Freeman Bike Trail

Dave McLaughlin, 110 Garrison Rd. came before the Board to comment on the Freeman Bike Trail. The State will put the bike trail out for bid in May. The State's plan has come before the Conservation Commission. The trail crosses streets in a number of places and the current plan as presented by the State seems to address this inadequately. Mr. McLaughlin felt the presentation was incomplete and the Town should look at it closely. Mr. Lynch responded that the Town is looking at the plan closely, with particular attention being paid to the street crossings.

SCHEDULED BUSINESS

John Greeley, Modern Continental: Presentation of Drum Hill Rotary Construction

John Greeley of Modern Continental came before the Board to present an update on the Drum Hill Rotary construction. A map of the construction phasing was displayed. Construction at the rotary is currently underway. Most construction to the rotary will be done outside of the existing pavement until the Summer of 2003. The expected completion date of the new rotary or square is Fall, 2003.

Mr. Greeley took questions from the Board regarding Drum Hill and Route 3 construction in general. Route 3 is being built to accommodate an additional lane in the future. The Stedman Street Bridge is coming along on schedule.

Public Hearing: Application of AT&T Broadband for Transfer of Control of Cable Television License to AT&T Comcast

Bob Carr, Manager of Government Affairs, AT&T came before the Board for a public hearing on the application of AT&T Broadband for the transfer of control of cable television license to AT&T Comcast. The purpose of the public hearing is to determine whether AT&T Comcast, as proposed Transferee of the Cable Television License, possesses the requisite management experience, technical expertise, financial capability and legal ability to operate a cable television system under the current Cable Television License.

Mr. Carr supplied supporting documentation and evidence for each of the four areas. AT&T Comcast is a Pennsylvania corporation and, as of the closing, will be the indirect parent company of all license holders. AT&T Comcast will continue to adhere to all Federal, State and local requirements. The merger of AT&T and Comcast will combine 30 years of experience. The successor company will be in a stronger position. The current debt to cash flow ratio is 8:1. The new company will have a ratio of 5:1 and will decrease to 2.5:1 by 2006. The merger will eliminate corporate overhead. AT&T Comcast will be the world's leading provider of broadband video, voice and data services, having a presence in 41 states with approximately 22 million subscribers.

Selectman Weisfeldt asked whether the synergy would serve to drive rates down. Mr. Carr responded that the merger may serve to decrease the rate of increase. In response to a question regarding senior discounts, Mr. Carr said that the company had to honor all documents and obligations within the Town's current cable franchise license. The merger was expected to be seamless from the consumers' perspective.

Selectman Eliopolous made a motion to continue the public hearing the next meeting. Motion seconded and approved unanimously.

Public Hearing: Street Acceptance, Arrowhead Circle

Jim Pearson recommended the acceptance of Arrowhead Circle pending the resolution of a number of legal issues. The acceptance of this street has been a long time in coming.

Selectman McCall invited interested members of the public to come forward and address the matter. Brad Orchard, 7 Arrowhead Circle came forward and expressed support for the acceptance of Arrowhead Circle. He has been a resident since 1996 and looks forward to a resolution.

David Cahill, 5 Arrowhead Circle came before the Board supporting the approval of Arrowhead Circle. He too feels the street is complete.

Selectman Eliopoulos made a motion to approve Arrowhead Circle as a public way pending the resolution of all legal issues. Motion seconded and approved unanimously.

Application for Transfer of Common Victualer License: The Common Cup Café, 27 Vinal Square

Joan Mavilia, 360 Whiley Road, Groton came before the board to request a Transfer of Common Victualer License for The Common Cup Café, 27 Vinal Square. The hours of operation would be 5 a.m. - 9 p.m., Mon-Sat. and 6 a.m. - 3 p.m. on Sundays.

Selectman Eliopoulos made a motion to approve the transfer of the Common Victualer License for the Common Cup Café, 27 Vinal Square for the hours of 5 a.m.-9 a.m., Mon.-Sat. and 6 a.m.-3 a.m., Sunday. Motion seconded and approved unanimously.

TOWN MANAGER REPORTS

Traffic

Mr. Lynch invited Police Chief Raymond McCusker to come forward and address the traffic situation in Town. Chief McCusker said there has been some increase in traffic on Smith St. and Parkhurst Rd. since the closure of Stedman St. This was to be expected, although it hasn't been as bad as anticipated. A speed board has been put up on Smith St. and has served to slow traffic speed down. The department will continue to monitor traffic. The Board requested that there be more advanced signage warning motorists of the road closure and the truck exclusion on Smith St. Chief McCusker responded that he would look into it.

Police Station

Construction of the new Police Station is moving along. If construction continues as scheduled the building should be occupied by December.

Town Meeting

State Aid remains a big question. There is an expectation of a ten percent decrease in Local Aid across the board. The next two to three years are expected to be difficult. The warrant article pertaining to the early retirement program may need to be withdrawn, as the program hasn't been approved by the Legislature. The Town continues to study the possibilities of the early retirement program.

REFERRALS

- Selectman Weisfeldt reported the Sewer Commission is working on protocol to restructure the betterment fees. He also commented that the position held by Ralph Hickey as ADA Coordinator would be unfunded due to budget cuts. Mr. Lynch said that was true and that he had spoken to Mr. Hickey. He went on to say that Mr. Hickey had done a wonderful job in the position and it was hoped that something could be worked out.
- Selectman Weisfeldt led a discussion over the proposed three-day opening of the McKay Library. He reminded the public that Chelmsford is one of the few communities of its size with a branch library. Mr. Lynch said the trustees should be commended for their commitment to the branch, and the options continue to be investigated.
- Selectman McCall reported that residents of North Chelmsford going to the Adams Library by bus must go into Lowell first as there is no direct route. Mr. Lynch responded that there has been an ongoing study by the LRTA into ridership and possible route changes.
- Selectman Eliopolous made a motion to award a certificate of appreciation to Attorney McClure for his efforts to fight the redistricting proposal. Motion seconded and approved unanimously.
- Selectman Weisfeldt made a motion to award a certificate of appreciation to Judith Mallette for her 12 years of service to the community and schools as a member of the School Committee. Motion seconded and approved unanimously.

UNSCHEDULED BUSINESS

Representative Carol Cleven came forward to comment on some of the items addressed during the meeting. She stated that in all likelihood Medicaid would not be cut. The early retirement program has made it through the House. The Legislature has made a big commitment to getting the budget out by July 1. Rep. Cleven reported that she had a meeting scheduled with Mass. Highway, and would press for sound barriers, signage for Route 4 and pollution control. The Board thanked Rep. Cleven for her input.

NEXT REGULAR MEETING

The next meeting, a joint meeting with the School Committee and Town Moderator is scheduled for Monday, April 29, 2002 at 7:00 p.m. There being no further business the meeting adjourned at 8:40 pm.

Respectfully submitted,

Donna McIntosh

JOINT MEETING

Board of Selectmen, School Committee
Town Moderator

April 29, 2002
6:45 p.m.
Senior Center

6:45 p.m. **Call to Order**

Open Session

- Certificate of Appreciation: Judith B. Mallette

6:50 p.m. Nashoba Valley Technical School Appointment

Unscheduled Business

- Discussion of Warrant Articles
- BOS Vote: Legislative Letter

Next Regular Meeting: May 13, 2002

BOARD OF SELECTMEN MEETING MINUTES

APRIL 29, 2002

A regular meeting of the Board of Selectmen was held on April 29, 2002 at the Senior Center beginning at 6:45 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

OPEN SESSION

Certificate of Appreciation: Judith B. Mallette

Ms. Mallette was unable to attend the meeting. The award of the certificate was postponed to a future meeting.

Nashoba Valley Technical School Appointment

Dennis McHugh, Town Moderator called to order a joint meeting of the BOS, School Committee and Nashoba Valley School Committee at 6:50 p.m. for the purpose of appointing a member to the Nashoba Valley Technical School Committee. The next term runs to March 31, 2005. The Town Moderator opened the floor to nominations. Selectman Dalton nominated Sam Poulten, nomination seconded. The Town Moderator made a motion to close nominations. Sam Poulten appointed unanimously.

UNSCHEDULED BUSINESS

Discussion of Warrant Articles

The Town Manager read the 25 articles on the Spring 2002 Town Meeting warrant.

Selectman Moran made a motion to support Articles 1-13. Motion seconded, articles supported unanimously.

Article 14 addresses the early retirement program. The program has yet to be formally approved by the Legislature. Selectman Moran made a motion to withdraw Article 14. Motion seconded, Article 14 withdrawn unanimously.

Selectman Moran made a motion to support Articles 15-18. Motion seconded, articles supported unanimously.

The Board discussed the Community Preservation Act in regards to Article 19. The Town expects to receive a grant from the State. Selectman Dalton made a motion to support Article 19 contingent upon a grant of at least $400,000. Motion seconded, article supported unanimously.

Selectman Dalton made a motion to approve Articles 19 and 24. Motion seconded. Articles supported unanimously.

The Board agreed to hold Articles 20, 21, and 22 pending presentation in Town Meeting.

BOS Vote: Legislative Letter

Selectman McCall made a motion to approve the Town Manager's draft of the legislative letter subject to revisions. Motion seconded and approved unanimously.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, May 13, 2002 at 7:00 p.m. There being no further business the meeting adjourned at 7:30 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

May 20, 2002

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Awards of Appreciation: J. Mallette, R. McClure

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s)

Town Manager Reports

Town Manager Appointment
- Telecommunications Advisory Committee

Town Manager Bids/Contract Awards

Scheduled Business

7:30 p.m. Water District Presentation

8:00 p.m. Application for Automatic Amusement Devices (2)
Bickford's Family Restaurant, Drum Hill Road

8:05 p.m. Application for Common Victualer License
Family Pizza, 85 Parkhurst Road

8:10 p.m. Verizon Petition for New Pole Locations, Chelmsford Street
(Work completed)

Unscheduled Business
- Close Public Hearing: Application of AT&T Broadband for Transfer of Cable Television License to AT&T ComCast

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Meeting: June 3, 2002

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
MAY 20, 2002

A regular meeting of the Board of Selectmen was held on May 20, 2002, at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Philip Eliopoulos, William Dalton, Michael McCall, and Thomas Moran. Also present was Bernard Lynch, Town Manager. Assistant Town Manager John Coderre and Selectman Stuart Weisfeldt were absent.

PUBLIC SERVICE ANNOUNCEMENTS

Town Celebration Committee - Exclusionary Zone-4th of July

Jeff Stallard, Celebration Committee, came before the Board to request the approval of a peddler's exclusionary zone for the Annual 4th of July Celebration. The zone is to go from North Road at 495 to the railroad tracks, across the square, from Littleton Road to Westford Road to Worthen St.

Selectman McCall made a motion to accept and approve the Town Celebration Committee's request for a peddler's exclusionary zone from North Road at 495 to the railroad tracks, across the square from Littleton Road to Westford Road to Worthen St. Motion seconded and approved unanimously.

Memorial Day

Jeff Stallard provided information to the Board regarding the Memorial Day parade. Marchers should gather at 9:30 am in the CVS parking lot.

Award of Appreciation - Attorney Richard P.McClure

The Board presented Attorney Richard P. McClure an Award of Appreciation for his efforts in bringing forth legal action on behalf of the residents of Chelmsford relative to the enactment of Chapter 125, Section 2 of The Acts of 2001 (legislative redistricting).

Attorney McClure thanked the Board and said that it was an honor to bring the case before the Supreme Court.

OPEN SESSION

Sound Barriers

Steve Kinnal, 12 McFarlin Road, came before the Board to request confirmation that McFarlin Road is included on the list of neighborhoods being retested for sound barriers. Selectman Eliopoulos said it was. He went on to say that a public information session is being organized for residents with Mass Highway and Modern Continental. The retesting procedure will be outlined. The information session should occur within the next 30 days.

SCHEDULED BUSINESS

Water District Presentation

John Harrington, Water District Commissioner, came before the Board to provide an update on the water supply. There have been concerns about the adequacy of the local water supply due to the reported drought conditions. Mr. Harrington reported that water conditions were average for this time of year.

Mr. Harrington introduced George Allen, an engineer for Dufresne Henry. The presentation would focus on an information packet provided to the Board. The report summarized the average daily usage and maximum daily usage since 1989. The current wells hold a combined capacity of 6.4 million gallons. Upgrades would bring capacity up by 35 % to 8.7 million gallons. The top priorities are to meet peak demand, provide fire protection, provide adequate pressure and meet capacity for emergency reserves.

The Board initiated a discussion regarding the possibility of using the Merrimack River as a water source. Mr. Harrington responded that the water districts have sent a letter regarding an easement for frontage on the river. Plans for future use of the river are at a very early stage at this point. Mr. Lynch encouraged the districts to get together and come up with a plan on how the facility would be managed and operated. Ron Wetmore responded that the districts would form a water authority. He emphasized that in order for the project to get under way the districts need to know that the Board and the Town are committed to granting an easement. The Town Manager responded that the details of such an authority would need to be worked out before Town Meeting could take the matter up. Mr. Lynch recommended the matter be discussed at future meetings.

Mr. Allen went on to commend the public for adhering to the water guidelines. This, combined with recent rainfall, has left the wells approximately where they were at this time last year. The conservation plan has been successful.

Application for Automatic Amusement Devices (2) Bickford's Family Restaurant, Drum Hill Road

Pat Williams, District Manager for Bickford's Family Restaurants came before the Board with an application for Automatic Amusement Devices at Bickford's Family Restaurant, Drum Hill Road. The Board noted that all approvals were in order from the Chief of Police and Building Inspector for the two crane machines.

Selectman McCall made a motion to approve the application for two (2) Automatic Amusement Devices at Bickford's Family Restaurant, Drum Hill Road, contingent upon confirmation of the necessity of a state approval number. Motion seconded, licenses approved unanimously.

Application for Common Victualer License, Family Pizza, 85 Parkhurst Road

Luiz DeOliveira, 415 Lawrence Street, Lowell, came before the board seeking a Common Victualer License for Family Pizza at 85 Parkhurst Road. The hours of operation would be from 11:00 am - 11:00 pm seven days a week.

Selectman McCall made a motion to approve a common victualer license for Family Pizza, 85 Parkhurst Road for the hours of operation between 11:00 am and 11:00 pm Monday-Sunday. Motion seconded and approved unanimously.

Verizon Petition for New Pole Location, Chelmsford Street (Work Completed)

Robert Grassia, Right of Way Manager, Verizon, 28 Diana Lane, Dracut came before the Board to present a petition for the placement of six poles and the removal of six poles on Chelmsford Street. The work has been completed as necessitated by the Route 3 project.

Selectman McCall made a motion to approve Plan No. 988 Dated 4/9/02 for the placement and removal of six poles on Chelmsford Street. Motion seconded and approved unanimously.

UNSCHEDULED BUSINESS

Close Public Hearing: Application of AT&T Broadband for Transfer of Cable Television License to AT&T ComCast

The public hearing was continued until the following meeting, as there was not a quorum due to the fact that Selectmen Dalton and Moran were not present at the initial public hearing.

Selectman McCall made a motion to continue the public hearing to the meeting of June 4. Motion seconded and passed unanimously.

TOWN MANAGER REPORTS

Budget

The Town Manager reported the House budget is complete, which is positive news for cities and towns. Chapter 70 money has been level funded, as has additional assistance. The amount of Chapter 81 money has been doubled. The Town Manager complimented the legislative office of the MMA for a tremendous job in keeping up with legislative happenings. Local receipts and local growth figures will still need to be monitored.

North Road Lights

The plans for both sets of light at North Road have been approved by the Project Review Committee of Mass Highway. The relationship with Mass Highway has been very positive. The project will not get underway for another two to three years.

Chelmsford Center

The bid opening date for the Center Project is July 9th. The date had been postponed from the original June date to accommodate the state's debt schedule.

Stedman Street Bridge Closure

The Police Chief has formed a task force to monitor traffic conditions between the hours of 7 a.m. to 10 a.m., and from 4 p.m. to 7 p.m., Monday through Friday. The task force is funded from the $5,000 per month paid by Modern Continental for traffic mitigation during the closure. Selectman Moran requested that the Town Manager look into the use of pile drivers at 4 am. As project liaison, Selectman Eliopoulos offered to look into it.

Fire Truck

The new "Quint" combination ladder and pumper truck will be coming into service once it is outfitted with the necessary equipment.

Meadowbrook Road

New tracks and repaving will be completed at the Meadowbrook Crossing. Guilford Rail will fund the track repair, and the Town will cover the cost of the repaving. During the work the crossing will be closed for a brief period.

Dutton House

The Dutton House roof work and exterior paint are complete. The boiler has been replaced.

North Town Hall

Jim Pearson, D.P.W. Director, is pricing windows and checking on siding for the North Town Hall.

Planning Board

As a result of the resignation of Kim McKenzie of the Planning Board, a replacement will need to be appointed. Interested individuals are encouraged to send applications to the Planning Board and Board of Selectman. A joint meeting of both Boards will be held to meet the candidates, and subsequently make the joint appointment.

SELECTMAN REPORTS/REFERRALS

- Selectman Eliopolous reported that a public hearing would take place at the Senior Center to address the sound barrier restudy. The Stedman St. Bridge is expected to reopen in September. Overall, the Route 3 project is on schedule for the most part.
- Selectman McCall reported receiving calls regarding water conservation and the current restrictions. The town is currently at a Level 1.
- Selectman Moran reported on a successful Student Government Day. The students were enthusiastic and appreciative as usual.
- Selectman Moran provided information to the board regarding a company that provides free digital geoimagery of the state. The company also provides free training.
- Selectman Moran requested that the flag in Vinal Square be replaced. The Town Manager said that the flag was scheduled to be replaced for Memorial Day.
- Selectman Moran said the sign at Drexel Drive has been stolen again. He reminded the community that this is an act with serious consequences.
- Selectman Moran inquired about work to be done to the Princeton St. Bridge. Mr. Lynch responded that the project had been scheduled, but had been postponed due to concerns of the business community. Mr. Lynch responded that he would look into it further.
- Selectman Moran reported a positive feasibility study on the train station. It is anticipated that ridership on the commuter train could reach 1,000 a day by 2020. It seems certain that service will be extended from Nashua to Lowell, but whether there will be a station in Chelmsford has yet to be determined.
- Selectman Dalton announced that there would be a joint meeting of the BOS, Finance Committee, School Committee, and the SSBC to discuss the school building project and provide a financial update. The meeting would be held Wednesday, May 22.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, June 3, 2002, at 7 pm. The board voted unanimously by roll to go into executive session for the purpose of discussing collective bargaining, real property and litigation. There being no further business the regular meeting adjourned at 8:55 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

June 3, 2002

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- ATEF Awards

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s)
- Board of Selectmen: March 18, 2002
  April 1, 2002
  April 3, 2002

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

- Stony Brook Wellhead Protection Plan
- DPW Highway Division Materials/Services Bids

Scheduled Business

7:35 p.m. Public Hearing: Mass. Electric Petition to Install Poles, Riverneck Road

7:40 p.m. Public Hearing: Mass. Electric Petition to Install PVC Conduit, Sanford Road

Unscheduled Business
- BOS Appointment: Board of Registrars
- Close Public Hearing: Application of AT&T Broadband for Transfer of Cable Television License to AT&T ComCast
- Review of Proposed Rules and Regulations for Taxi Cab License

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Meeting: June 17, 2002

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
JUNE 3, 2002

A regular meeting of the Board of Selectmen was held on June 3, 2002, at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Philip Eliopoulos, William Dalton, Michael McCall, Thomas Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

PUBLIC SERVICE ANNOUNCEMENTS

Arts & Technology Fund Award Recipients

Selectman Dalton introduced Evelyn Thoren of the Arts & Technology Fund Committee. She thanked the board for allotting time for the award presentations, and acknowledged the dedication of all of the committee members, who spend a great deal of time reviewing the many excellent projects that are submitted for consideration. There is currently more than $48,000 in the fund, with $22,931 having been awarded. One goal of the committee is to find the best ways to develop the fund. Applications for grants went out in January with a March 31st deadline. These awards are given for a specific program. She thanked the contributors and reminded potential donors that they could make a tax-deductible donation with a tear-off on their excise or July property tax bills.

Ed Morassi took the podium to present the awards. He too commended the committee for their hard work in making a difficult decision. He also thanked Fred Mansfield, Town Treasurer. Awards were presented to:

Elaine Farrell, Betty-Mae Flaherty, Jeanne Manzi - Westlands School - "A Step into the 17th Century" - $500

Video Diary of Plymouth Plantation field trip

Mary Margaret Sexauer-South Row School – Multiplex Display/Exhibit System - $750

Marilyn Sweeney - Center School - "Learning Beyond Classroom Walls" - $750

Digital video camera

Julie Dwyer, Harrington School - "Digital Video Portfolio" - $750

Help to organize ideas and writing strategies

Sharon Ryan - Harrington School - "Non-fiction book collection" - $750

Non-fiction book collection for first graders

Susan Wilson, South Row School - "Scrapbook Portfolio" - $750

OPEN SESSION

ATEF Donation

Evelyn Thoren came before the board to present a check for $250 to the ATEF. The donation was the fulfillment of a campaign promise to donate any money raised over the campaign goal the ATEF.

Route 3 Signage

Ms. Thoren requested that signage be put up on Route 3 for the high school and the administrative offices. Selectman Eliopoulos offered to forward sign information to Mass Highway.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETING

Board of Selectman March 18, 2002, April 1, 2002 and April 3, 2002

Selectman Moran made a motion to approve minutes from the regular meetings dated March 18, 2002, April 1, 2002 and April 3, 2002. The motion was seconded. Minutes approved unanimously.

SCHEDULED BUSINESS

Public Hearing - Mass. Electric Company, Petition to Install Poles, Riverneck Road

Dave Agor of Mass. Electric sought board approval for a petition to excavate Marshall St. for the purposes of installing 40 ft. of underground conduit. Selectman Moran made a motion to approve the petition for plan #M-777 dated 5/11/00 to place 40 ft. of underground conduit on Marshall St. Selectman McCall seconded. Motion approved unanimously.

Public Hearing - Mass. Electric Petition to Install PVC Conduit, Sanford Road

Dave Agorn, Mass Electric, Right-of-Way Manager, came before the board to request approval for a petition to install PVC conduit and an electric pole box on the Sanford Road extension.

Selectman McCall made a motion to approve Mass Electric plan S-797, to install 2-3" PVC conduits and one pullbox (60"X30" flush mount) to provide electric service to Sanford Road Extension and Talbot Lane. Motion seconded and approved unanimously.

TOWN MANAGER BIDS/CONTRACT AWARDS

Stony Brook Wellhead Protection Plan

Selectman McCall made a motion to approve the Town Manager award of a contract to Merrimack River Watershed Council (MRWC) for the amount of $29,950 to prepare a Wellhead Protection Plan for the Stony Brook Watershed. MRWC was recommended by Andy Sheehan for its knowledge of the watershed, understanding of the scope of the project and its consistency with the DEP's requirements.

Motion seconded, contract award approved unanimously.

DPW Highway Division Materials/Services Bids

Selectman McCall made a motion to approve the Town Manager award of a contract for Highway Division Materials/Services Bid as follows:

BID ITEM#	NAME	LOW BIDDER
#3	Bituminous Concrete/Adj. Castings	Aggregate Industries
#4	Crack Sealing	Superior Sealcoat
#5A	Basin Cleaning	Leo Vigeant
#6	Heavy Equipment Rental	Drum Hill Construction
	Excavator Rental	Chadwick-BaRoss
	Roadside Mower	Kohl Contracting
#7	Traffic Markings	HiWay Safety
#9	Aggregate	Brox Industries & Aggregate, Inc.
#14	Excavation by Cold Planer	Garrity Asphalt
#15	In-place recycling bituminous concrete	Murray Paving

Motion seconded, contract awards approved unanimously.

UNSCHEDULED BUSINESS

BOS Appointment: Board of Registrar's

Selectman Moran nominated Shaun Saber to the Board of Registrars. Nomination seconded. The nomination of Shaun Saber to the Board of Registrars was approved unanimously.

Close Public Hearing: Application of AT&T Broadband for Transfer of Cable Television License to AT&T ComCast

Selectman Weisfeldt made a motion to close the public hearing for application to transfer the cable television license to AT&T ComCast. Motion seconded and approved unanimously.

Selectman Weisfeldt made a motion to approve the transfer of cable television license from AT&T Broadband to AT&T ComCast for reasons legal, financial and technical. Motion seconded and approved of unanimously with two abstentions (Moran and Dalton).

Review of Proposed Rules and Regulation for Taxi Cab License

The Town Manager distributed copies of the proposed taxicab license rules and regulations for the Boards' perusal. The board will vote on the rules and regulations at the meeting of June 17th.

TOWN MANAGER REPORTS

State Budget

The Town Manager reported that local aid would be level funded, which was good news. The Town is working on consolidating health insurance for all employees. Some of the options would be changed. The savings could be $350,000 for employees and $500,000 for the Towns. The savings could amount to $2,200 per year per individual in premium costs.

Water Districts

The Water Districts recently had a meeting with Mass Highway to go over drainage on Route 3. The meeting was a positive one with the North Chelmsford Water District being appreciative.

SELECTMEN REPORTS/REFERRALS

- Selectman Weisfeldt said he was contacted by a resident concerning the Meadowbrook crossing repair. Mr. Lynch reported that the work was scheduled for mid-July.
- Selectman Weisfeldt said he had inquiries from residents concerned about a proposed development on Princeton Street. Concerned individuals should contact the Board of Appeals. Selectman Dalton added that the Board of Selectman does not get actively involved in this process.
- Selectman Weisfeldt inquired as to whether the traffic lights had stopped working on Route 110 and Fletcher Street. Mr. Lynch responded that the lights had been checked and were found to be working at that time.
- Selectman Eliopoulos reported that there would be two community meetings for those neighborhoods that will be receiving sound barriers in connection with the Route 3 Project. The residents will be given details on the installation process and given the opportunity to accept or reject the sound barriers. The meetings will take place at the Senior Center.
- Selectman Eliopoulos requested a paving list for 2002.
- Selectman McCall asked a question about the widening of Route 3 in the Route 40 area. Selectman Eliopoulos explained that two additional lanes are proposed.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, June 17, 2002, at 7 pm. There being no further business the meeting adjourned at 8:30 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

June 17, 2002

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Certificate of Appreciation: K. MacKenzie

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s)
- Board of Selectmen: April 22, 2002
  April 29, 2002

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards
- Stop Loss Reinsurance

Scheduled Business

7:15 p.m. Joint Meeting: Planning Board Appointment

7:30 p.m. Joint Meeting: Finance Committee & School Committee
Auditor's Report FY01

7:50 p.m. Public Hearing: Verizon Petition to Place and Remove Pole
Robin Hill Road

Unscheduled Business
- BOS Vote: Bond Sale

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Meeting: July 1, 2002

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
JUNE 17, 2002

A regular meeting of the Board of Selectmen was held on June 17, 2002, at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Philip Eliopoulos, William Dalton, Michael McCall, Thomas Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

PUBLIC SERVICE ANNOUNCEMENTS

Certificate of Appreciation: K. MacKenzie

The board presented a certificate of appreciation to Kim MacKenzie for 17 years of service to the Planning Board. Mr. MacKenzie received his certificate and thanked the board and the community for affording him the opportunity to serve.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETING

Board of Selectman April 22, 2002 and April 29, 2002

Selectman Moran made a motion to approve minutes from the regular meeting dated April 22, 2002. Motion seconded and minutes approved with three ayes and two abstentions.

Selectman McCall made a motion to approve the minutes from the regular meeting of April 29, 2002. Motion seconded and minutes approved unanimously.

TOWN MANAGER REPORTS

Propane Fuel Tank Replacement

The Town Manager announced that due to changes in Federal regulations propane tanks must have new safety valves. Residents may bring their old propane tanks to a drop-off Saturday, July 13, from 9:00 a.m. to Noon at the DPW Yard, 54 Richardson Road. There will be a charge of $3 per tank.

Harrington School Playground

The Harrington School Playground is open. The PTO has done a great deal of work to secure funding. Mr. Lynch praised the DPW for their excellent work on this project.

Pavement Report

The Town Manager presented the 2002 pavement work schedule. Alpha, Golden Cove and Richardson would receive overlay. The Old Stage area, Freeman, State, Queen, Omni, Stuart and Elizabeth are scheduled for extensive cutting and full depth patch. Johnathan, Crabapple and McIntosh are scheduled to receive pavement dependent on whether sewer extends to the area as planned. Graniteville and School St. to receive sidewalks. The sewer department will be paving Main, Concord, Graniteville, Minuteman, Barry, Crooked Spring, School, Penni, Radcliff, Princess and Charlemont. The Meadowbrook rail crossing is scheduled for repair in mid July.

SCHEDULED BUSINESS

Joint Meeting: Planning Board Appointment

Selectman Dalton called the joint meeting of the Board of Selectmen and Planning Board to order. The purpose of the joint meeting was to appoint a member of the Planning Board to fill the vacancy left by the resignation of Kim MacKenzie. Selectman Weisfeldt nominated John Goffin. Nomination seconded. A member of the Planning Board nominated Anne McGuigan. Pam Armstrong seconded. Nominations closed. The boards voted by roll to appoint John Goffin unanimously.

The boards agreed to continue to accept applications to the Alternate position and vote at the next meeting.

Joint Meeting: Finance Committee & School Committee Auditor's Report FY 01

Bob Brown and Chris Laviolette of R.E. Brown and Company came before the Board to present the annual auditor's report for fiscal year 2001. The accounting policies of the Town of Chelmsford conform to the generally accepted accounting principles (GAAP). In 2003 the Town will conform to the new (GASB) policies regarding fixed assets. The groundwork is in place to reach this goal.

The management letter is very positive. Three out of the five items from prior management letters have been resolved. Some highlights include $10 million in new bonding for sewers and other projects. Ninety-nine percent of the current tax levy is collected. The Town continues to contribute to the stabilization fund.

Selectman McCall made a motion to accept the auditor's report for FY 2001 submitted by Brown and Company. Motion seconded. Report accepted unanimously.

Public Hearing: Verizon Petition to Place and Remove Pole Robin Hill Road

Kathy Frazier, Right of Way Manager, Verizon, came before the board to request approval for a petition to remove one pole and place one pole on Robin Hill Road.

Selectman McCall made a motion to approve the petition of Verizon to remove one pole and place one pole on Robin Hill Road. Motion seconded and approved unanimously.

TOWN MANAGER BIDS/CONTRACT AWARDS

Stop Loss Reinsuranc

Selectman McCall made a motion to approve the Town Manager award of a contract for stop loss reinsurance to Cook & Company Ins. Agency, Inc. for the specific level insurance amount of $90,000 which is the current specific deductible amount. Motion seconded and approved unanimously.

UNSCHEDULED BUSINESS

Bond Sale

Selectman McCall made a motion to approve the sale of a $4 million, 2.75 percent Bond Anticipation Note of the Town dated June 27, 2002, and payable April 24, 2003, to First Southwest Company at par and accrued plus a premium of $38,320. Further moved that the consent dated June 13, 2002 to the financial advisor bidding for the note is hereby confirmed. Selectman Moran seconded, motion approved unanimously.

SELECTMAN REPORTS/REFERRALS

- Selectman Moran reported on the June 12th NMCOG meeting. Lowell has been incorporated in the Metro Boston area.
- Selectman Moran asked the Town Manager to look into what information the Town received on what is being transported in rail cars through the area. This is in response to a recent incident where a railway tanker filled with chemicals was left on the tracks for a period of time.
- Selectman Moran reported that a resident on Gay St. had requested that left hand turns from Princeton Street onto Gay Street be prohibited between the hours of 4 to 7 pm. Mr. Lynch responded that he would ask the Police to conduct a traffic study in the area.
- Selectman McCall brought forward the concerns of residents on Carlisle St. regarding an abandoned house. The owners of the house want to demolish it, but the neighbors are concerned about the possibility of a vermin infestation. Mr. Lynch responded that the Board of Health wouldn't issue a permit until the house had been inspected.
- Selectman McCall inquired on behalf of interested residents whether a proposed sound barrier could be rejected. Selectman Eliopoulos responded that technically, they could, but it is unlikely. He encouraged all interested residents to attend the sound barrier meetings.
- Selectman Dalton said there has been a problem with a towing operation on Gorham Street. The Town Manager responded that the company has been ordered out of its location, which is not zoned for a business. The Town must go through legal channels to address such an issue.
- Selectman Dalton inquired about the possibility of the railroad crossing at Southwell Field becoming a public crossing. The Town Manager responded that work was being done on the issue.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, July 15, 2002, at 7 pm. There being no further business the regular meeting adjourned at 8:20 pm.

Respectfully submitted,

Donna McIntosh.

BOARD OF SELECTMEN WORK SESSION
MEETING MINUTES

July 15, 2002

A Work Session of the Board of Selectmen was held on July 15, 2002 at 6:00 p.m. in the Town Manager's Conference Room. Board members present were: William Dalton, Michael McCall, Thomas Moran, Philip Eliopoulos, Stuart Weisfeldt and Town Manager Bernard Lynch.

The purpose of the Work Session was for the Town Manager to bring the Board up to date on current and completed projects.

Mr. Lynch stated that a new Fire Station was not in the report but it will be added as a goal. Specifically, he reported on the following:

Bike Path: Bidding should occur in the Fall of 2002 and construction should start in late 2002. Construction of the path will take approximately 18 months.

Central Square: Bids were expected to be opened July 23rd and that the Town was moving forward with the utility depression.

D.P.W. Study: The study was moving forward. The Richardson Road site looks like the best option at this time.

Drum Hill: The Town is working with NMCOG and the City of Lowell regarding landscaping, traffic, land uses and signage. He reported that traffic lights will be installed near Dunkin Donuts.

East School Field: It should be done this Fall.

Electric Deregulation: The Town will save $150,000 with MunEnergy, a program offered by the Mass. Municipal Association. Selectman Moran asked if Mass. Electric could beautify the transformer across from Skip's.

Employee Health Insurance: He is looking for alternative health care options due to rising costs, and is working with the Insurance Advisory Committee in this endeavor.

Tully Forum: The Forum continues to make money. He said Mass. Highway will pave the parking lot if they use that location for a Park-and-Ride.

Chelmsford Country Club: The golf course continues to make money. He said he would like to do something with the Club House and that he will talk to Nashoba Technical H.S. about it.

Labor Negotiations: The only open contract was the School Department.

Sewer Project: Currently it appears that there are funds available to sewer 85% of the properties in Town. He said he is working with the Sewer Commission on financing options to determine how to complete the final 15% of the project.

Technology: The Web Page will be completely overhauled this summer.

Town Offices: New windows will be installed at Town Offices this year.

Mr. Lynch stated that the new projects in the report are performance measurements and gas aggregation.

There being no further business the meeting adjourned at 6:50 p.m.

Respectfully Submitted,

Marian D. Currier

Marian D. Currier

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

July 15, 2002

7:00 p.m. **Call to Order - Pledge of Allegiance**

Proclamation – National Korean War Veterans Armistice Day

Public Service Announcements

Open Session

Town Manager Reports

Town Manager Bids/Contract Awards

Scheduled Business

7:15 p.m. Joint Meeting with Planning Board
Appointment of Alternate to the Planning Board

7:30 p.m. Application for Change in Manager/Application for Automatic Amusements
Chelmsford Lodge of Elks

7:40 p.m. Public Hearing - Application for Storage of Flammable and Combustibles
R&S Real Estate, Management, Inc. 7 Oak Street

7:45 p.m. Public Hearing: Petition of Verizon Inc. to Place One Pole, Boston Rd.

7:50 p.m. Public Hearing: Petition of Mass. Electric Company to Place One Pole,
Chelmsford Street

7:55 p.m. Application for Change in Owner/Manager –
Carvel Ice Cream, Drum Hill Road

8:00 p.m. Application for Common Victualer License
Antonio's Pizzeria, 313 Littleton Road

8:05 p.m. Application for Common Victualer License
Elegant Farmer, 7 Summer Street

** This meeting is televised. **

8:10 p.m. Approval of Common Victualer Licenses

Kate's Corner, 321 Acton Road
Mr. Convenience, Inc., 170 Concord Road
Market Basket, 288 Chelmsford Street
Stop & Shop, 16 Boston Road
Triangle Variety Store, 148 Groton Road

Unscheduled Business

- Early Retirement Incentive Program

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Meeting: August 5, 2002

*** This meeting is televised. ***

BOARD OF SELECTMEN MEETING MINUTES
JULY 15, 2002

A regular meeting of the Board of Selectmen was held on July 15, 2002 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen William Dalton, Philip Eliopoulos, Michael McCall, Thomas Moran and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

PUBLIC SERVICE ANNOUNCEMENTS

Selectman McCall read a proclamation declaring July 27, 2002 National Korean War Veterans Armistice Day. Regina Jackson, Assistant Veterans Agent, and John Hipson of the Greater Lowell Korean War Veterans Association, received the proclamation. Ms. Jackson announced a memorial ceremony to be held Saturday, July 27, at 8:30 a.m. at Veterans Park and encouraged all to attend. Mr. Hipson thanked the Town for having an event that the public could attend and noted that Chelmsford is one of only a few towns to do so.

TOWN MANAGER REPORTS

Annual Appointments
Mr. Lynch stated that he would be making all appointments at the August 5 Selectmen's meeting.

Selectmen Work Session
He said the Selectmen had met for a Work Session prior to this meeting. The Town Manager Projects Status Report was discussed briefly. A copy is available for anyone who would like one in the Town Manager's Office. It is also available on the Town website.

Finances
In State Aid, Mr. Lynch said the Town could expect about $220,000 additional over the amount expected in April of this year. The Town is in the process of closing out the FY02 books. Town revenues are meeting targets, but FY03 revenues could be $150,000 less. The Town is experiencing some new growth. Mr. Lynch said that the Town is "not out of the woods" for FY03, and FY04 is still of concern. New State Aid is not expected, and he anticipates FY04 will be as difficult as FY02 and FY03.

Selectman Eliopoulos asked that FY02 close out figures be available at the August 5 meeting.

Recycling Event
Mr. Lynch announced that the Propane Tank Collection of July 13 was a great success. About 400 tanks were received. There will be a similar event in the Fall.

Police Station
Mr. Lynch said the construction of the new police station appears to be right on schedule.

Chelmsford Business Association
Mr. Lynch said that a letter had been received from the CBA regarding truck exclusions on Chelmsford roadways and the effect on local businesses. He said that the Police and DPW had provided input upon his request and that a response would be sent to the CBA with a copy to the Selectmen.

SCHEDULED BUSINESS
Joint Meeting with Planning Board

A joint meeting of the Selectmen and Planning Board began at 7:15 p.m. for the purpose of appointing an Alternate member to the Planning Board.

Five individuals have applied for the Alternate position as follows: Phyllis Elias, 28 Regina Drive; Ann McGuigan, 5 Ann's Way; Michael Pacitto, 17 Chestnut Avenue; Ann Page, 3 Crabapple Lane; and Robert Robinson, 9 Colonial Terrace. All were in attendance except Mr. Robinson. Each applicant was invited to come forward and to state their interest and qualifications for the Alternate position.

By roll-call vote, six votes were cast for Michael Pacitto as follows: R. Morse, J. Goffin, S. Carter; P. Armstrong, C. Wojtas; S. Weisfeldt. Three votes were cast for Phyllis Elias as follows: C. Garrahan, M. McCall, P. Eliopoulos. Three votes were cast for Ann McGuigan as follows: J. Good, T. Moran, W. Dalton.

Michael Pacitto was elected to the Planning Board.

Application for Change in Manager and for Automatic Amusements
Chelmsford Lodge of Elks

Mr. Leighton Porter, representing the Lodge of Elks, introduced himself. The proposed new manager, Mr. Robert Fillebrown, also stepped forward and stated that he is TIPS Certified.

Selectman McCall made a motion to approve a Change in Manager for the Chelmsford Lodge of Elks from Michael Marshall to Robert Fillebrown. Motion seconded, change in manager approved unanimously.

With regard to the Application for Automatic Amusements, Selectman Dalton asked if any income would be derived from the amusements. Mr. Fillebrown stated there would not.

Selectman McCall made a motion to approve the Application for Automatic Amusements (five machines) for the Chelmsford Lodge of Elks. Motion seconded, application approved unanimously.

Public Hearing: Application for Storage of Flammable and Combustibles

Paul McLaughlin, Property Manager, R&S Real Estate Management, Inc., came before the Board for a license to store flammable and combustible liquids and gasses above ground at 7 Oak Street. The premises are comprised of several auto repair businesses. Each is required by the Fire Dept. to have individual permits to store flammables and combustibles, but the aggregate amount exceeds the limits. This license will cover the total amount of flammables to be stored on the site.

Selectman McCall made a motion to approve the application for storage of flammables and combustibles at 7 Oak Street. Motion seconded, approved unanimously.

Public Hearing: Petition of Verizon Inc. to Place On Pole on Boston Road

Robert Grassia of Verizon appeared before the Board to request permission to place one pole on Boston Road. This is needed to accommodate some road widening along Boston Road.

Selectman McCall made a motion to approve the Verizon petition to place one pole on Boston Road. Motion seconded, approved unanimously.

Public Hearing: Petition of Mass. Electric Company to Place On Pole on Chelmsford Street

Dave Aguair of Mass. Electric appeared before the Board to request permission to place one pole near 34 Chelmsford Street in connection with the underground utility work in Central Square. Peter Bagni, a resident, asked for more detail on the location. Dave responded that it would the pole would be placed between 30 and 34 Chelmsford Street.

Selectman McCall made a motion to approve the Mass. Electric Company petition to place one pole on Chelmsford Street. Motion seconded, approved unanimously.

Application for Change in Owner/Manager
Carvel Ice Cream Store, 107 Drum Hill Road

The applicant was not present. Item tabled until the next meeting.

Application for Common Victualer License
Antonio's Pizzeria, 313 Littleton Road

Yasser Ibrahim appeared before the board for a Common Victualer License for the premises at 313 Littleton Road for a pizza shop. The proposed hours of operation are 11 a.m. to 9 p.m. Monday through Sunday.

Selectman McCall made a motion to approve the application for a Common Victualer License, Antonio's Pizzeria, 313 Littleton Road for hours 11:00 a.m. to 9:00 p.m. Monday through Sunday. Motion seconded, application approved.

Application for Common Victualer License
Elegant Farmer, 7 Summer Street

The Town Manager explained that the Elegant Farmer was expanding its serving of food beyond a simple salad bar and is considering installing seating for their patrons. Thus, they would require a Common Victualer License.

Selectman McCall made a motion to approve the Application for a Common Victualer License for the Elegant Farmer, 7 Summer Street. Motion seconded, approved unanimously.

Application for Common Victualer Licenses:
Kate's Corner, 321 Acton Road
Mr. Convenience, Inc., 170 Concord Road
Market Basket, 288 Chelmsford Street
Stop & Shop, 16 Boston Road
Triangle Variety Store, 148 Groton Road

The above establishments currently have permits from the Board of Health to serve food, but not Common Victualer Licenses.

Selectman McCall made a motion to approve the Applications for a Common Victualer License for Kate's Corner, Mr. Convenience, Market Basket, Stop & Shop, and Triangle Variety Store. Motion seconded, approved unanimously.

Selectmen Referrals

Selectman Eliopoulos referenced the Town receiving $580,000 in grant money from the Commonwealth of Mass. to acquire the Red Wing Farm parcel. This is funding that allows cities and towns impacted by the Route 3 Project to acquire open space for their community. He thanked Andrew Sheehan, Community Development Coordinator, for his excellent work in preparing the grant application.

Selectman Eliopoulos announced that there would be a public meeting on July 17 regarding a re-study of the sound barrier study. This meeting is for residents of those neighborhoods not currently scheduled to receive sound barriers. He said it would be an important meeting and encouraged residents to attend.

In follow up to earlier correspondence and referrals, the residents of Zeus Drive continue to be bothered by the effects of manure that has been applied on fields near their property by Great Brook Farm. Selectman Eliopoulos requested that the residents be invited to the next Selectmen's meeting to air their concerns. Mr. Lynch stated that he had investigated the farming procedures used by Great Brook Farm and found that such operations are exempt from local jurisdiction when maintaining land in agricultural use. It was suggested that perhaps the owners/operators of Great Brook could be approached to discuss some remedy to the neighbors' problem. Mr. Lynch stated that he would write such a letter to the residents.

With regard to sound barriers for the Route 3 Project, Selectman Eliopoulos stated that a letter was needed from the Town to the State indicating that the Town wants to proceed with installing the barriers in accordance with the Sound Barrier Study. He made a motion that the Town send such a letter. Motion seconded, approved unanimously.

Selectman Weisfeldt expressed his appreciation to the Elks and all others involved in organizing the Annual Fourth of July Celebration.

Selectman Weisfeldt said the lawn at the Center School appeared in need of cutting. Mr. Lynch said he would look into it.

Selectman Weisfeldt mentioned a recent Boston Globe article on affordable housing. A letter had been sent to DHCD by the Housing Authority on the matter. Selectman Dalton praised the work of David Hedison, Director of the Chelmsford Housing Authority.

Selectman Moran stated that NMCOG was sponsoring a meeting on July 31 at the Town Offices regarding CEDS (Comprehensive Economic Development Strategy) projects.

Selectman Moran discussed possible beautification efforts for the transmission station on Chelmsford Street.

Selectman Moran said he had inquiries from Gay Street residents about having a no left-turn restriction from Princeton Street onto Gay Street. They are concerned about cut through traffic.

Selectman McCall said he had attended a recent Community Preservation Committee meeting. A representative from the Town of Bedford attended and discussed how Bedford had utilized some of their funding from the Community Preservation Act.

Selectman McCall stated that he had some concerns regarding violations of the truck exclusions in Town. He said he had received reports of heavy traffic on Route 4 in the middle of the night.

Selectman McCall said he had received inquiries from residents about zoning regulations as they applied to day care centers. Some abutters were reportedly unhappy with day care operations in their neighborhoods. Mr. Lynch noted that the zoning by-laws would be on the web page at a future time, and this might be helpful to residents.

Selectman Dalton stated that the Annual Fourth of July Celebration was a great success.

Selectman Dalton stated that due to the failure of a large municipal insurance carrier in Pennsylvania, municipalities could be facing very large increases in insurance premiums.

Selectman Dalton suggested having James Good, Chelmsford liaison to the LRTA, give an update on LRTA activities at the next meeting.

Early Retirement Incentive

Mr. Lynch distributed a memorandum to the Board summarizing the provisions of the Early Retirement Incentive (ERI) for Municipal Employees. The purpose of the ERI is to reduce the workforce in anticipation of several difficult years ahead. He recommended a maximum of 10 employees from Public Safety and 15 employees from other departments. He explained that net savings the first year would be approximately $445,000, and $470,000 in years 4 and beyond, reiterating that the savings would come from not filling a number of positions. Further, if positions were filled, the ERI could be a cost to the Town.

After discussions with the appropriate department heads, Mr. Lynch does not expect the reduction in force to have any impact on Town services. Finally, implementing the ERI will avoid employee lay-offs.

With the exception of Selectman Dalton, who abstained because he is a full-time employee of the Town, each of the Selectmen expressed their support for the measure.

Selectman McCall made a motion to approve implementation of the Early Retirement Incentive. Motion seconded, passed unanimously with one abstention (Sel. Dalton).

There being no further business, the regular meeting adjourned at 9:05 p.m.

Respectfully submitted,

Janet Murphy

Janet Murphy

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

August 5, 2002

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

- Certificates of Appreciation: Finance Committee Members
  Fire Department Retirees

- Families of SMA (Spinal Muscular Atrophy) Walk & Roll-a-Thon
  Michelle Rollinson, Board of Directors

- CHOICE: Joanne Aronie

Open Session

Meeting Minutes

- Board of Selectmen: May 20, 2002
- Executive Session: May 20, 2002

Town Manager Reports

Town Manager Appointments

- Annual Appointments

Town Manager Bids/Contract Awards

- Highway Department Cabs

Scheduled Business

7:15 p.m. Update on Chelmsford Telemedia: J. Kelly Beatty

7:30 p.m. Public Hearing: Application for Common Victualer License
Sal's Pizza, 296 Chelmsford Street

7:35 p.m. Application for Change of Manager/Owner
Carvel Ice Cream Store, 107 Drum Hill Road

-- OVER --

*** This meeting is televised. ***

7:40 p.m. Application for Common Victualer License
Celtic Restaurants & Pubs Inc., 17 Vinal Square

7:45 p.m. Application for Common Victualer License
Adams Corner Variety, 11 Vinal Square

7:50 p.m. Application for One-Day Liquor License - Sts. Vartanantz Church

Unscheduled Business

- Board of Selectmen Appointments

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Meeting: September 9, 2002

*** This meeting is televised. ***

BOARD OF SELECTMEN MEETING MINUTES
AUGUST 5, 2002

A regular meeting of the Board of Selectmen was held on August 5, 2002, at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Philip Eliopoulos, William Dalton, Michael McCall, Thomas Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

PUBLIC SERVICE ANNOUNCEMENTS

Certificates of Appreciation: Finance Committee Members

A certificate of appreciation was presented to William Curry for five years of service to the Finance Committee. Mr. Curry thanked the Board and the Town for the opportunity to serve.

A certificate of appreciation was presented to Clare Jeannotte for six years of service to the Finance Committee. Ms. Jeannotte echoed the sentiments expressed by Mr. Curry and in addition stated that her tenure on the Finance Committee had given her a tremendous amount of faith in the Town.

Certificate of Appreciation: Fire Department Retirees

Certificates of Appreciation were awarded to William Curran, James Curran, Daniel Reid and Walter Adley to recognize their years of service to the Fire Department. The recipients were not present to receive the certificates.

Families of SMA (Spinal Muscular Atrophy) Walk & Roll-a-Thon, Michelle Rollinson, Board of Directors

Michelle and Andrew Rollinson, Board of Directors, New England Division of the Families of Spinal Muscular Atrophy came before the Board to receive a proclamation declaring August Spinal Muscular Atrophy month. A Walk & Roll-a-Thon to benefit the Families of SMA will be held on Saturday, September 21 at 10 am starting at the Central Congregational Church. All proceeds from the event will go towards Spinal Muscular Atrophy research.

CHOICE: Joanne Aronie

Joanne Aronie of CHOICE came before the Board to provide information on the not-for-profit corporation. CHOICE (Chelmsford Housing Opportunities for Intergenerational and Community Endeavors) was begun in order to acquire funding through grants, fund-raisers and donations that will provide programs and services for seniors and low-income families in the community. The focus is on bringing seniors and children at-risk together through intergenerational experiences. Ms. Aronie is the program manager for the Chelmsford Housing Authority's Family Self-Sufficiency Program. An art auction will be held on September 19 at the Radisson Hotel to benefit CHOICE.

OPEN SESSION

Great Brook Farm

John Thibault, 17 Zeus Drive, came before the Board to express neighborhood concerns regarding the agricultural practices at Great Brook Farm. He presented a petition signed by 25 residents on Zeus Drive and Proctor Road whose property abuts a hayfield belonging to Great Brook Farm. Mark Duffy, the farm operator, has been fertilizing the field with manure. The residents claim this is creating an unpleasant and unhealthy environment for them. The practice was discontinued in 1995 but has started again in the last two years. Ray Faucher, farm superintendent, has been approached with a request to stop applying manure and use chemical fertilizers to no avail. Mr. Thibault provided photographs of the fields.

Sam Zouzas, 173 Proctor Road, took the podium to present a historical overview of the situation and request that the Board and Town do what it can to support the residents. Mr. Zouzas said that in 1995 after securing an environmental lawyer the farm stopped the practice of using manure. The Board suggested that some intervention on the part of the Board of Health and State might serve to move the situation. Mr. Lynch suggested efforts to have the parties come together and reach an understanding of all the issues.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETING

Board of Selectman Meeting Minutes: May 20, 2002

Selectman McCall made a motion to approve the regular and executive session meeting minutes of May 20, 2002. Selectman Moran seconded, minutes approved with one abstention. (Selectman Dalton was not present for the meeting)

TOWN MANAGER REPORTS

FEMA Meeting

The Federal Emergency Management Agency will hold a meeting to discuss revisions to the Flood Insurance Study as they pertain to the Town of Chelmsford. It will take place on August 19 at 10:00 a.m. at the Town Offices. The meeting is open to the public.

Financial Report

The Town Manager reported the Cherry Sheets are in and the news is not good. There is a reduction in State funding. On the expenditure side all departments came in below budget with the exception of the Cemetery Department. While the departments are able to function under their budgets at this time, it will become increasingly difficult to make ends meet.

The Town Manager discussed the revenue projections. In general revenues have gone up slightly. Permit revenue is not what was expected, even with the increase in fees. The Legislature has level funded most accounts, but eliminated the highway fund monies.

TOWN MANAGER BIDS/CONTRACT AWARDS

International 1988 Cabs

The Town Manager recommended the bid award for the International 1988 Cabs to Taylor & Lloyd in the amount of $45,042.58. These are replacement cabs for existing D.P.W. trucks. Selectman McCall made a motion to approve the bid award to Taylor & Lloyd in the amount of $45,042.58. Selectman Moran seconded, award approved unanimously.

TOWN MANAGER APPOINTMENTS

Annual Town Manager Appointments

Selectman McCall moved to approve the Town Manager appointments for 2002 as follows:

Title/Committee	Name	Expiration
ADA Coordinator	Ralph Hickey	6/30/03
Board of Appeals	John Coppinger	6/30/05
	alt. John Blake	6/30/03
	alt. William Gilet Sr.	6/30/03
	alt. John Thibault	6/30/03
Arts and Technology	Beverly Barrett	6/30/05
	Evelyn Thoren	6/30/03
Cable Access Foundation	Scott Glidden	6/30/04
Coalition Against Crime	Kathy Cryan-Hicks	6/30/03
	Holly Hamilton	6/30/03
	Raymond McCusker	6/30/03
	Steven Meidell	6/30/03
	Deborah Monteforte	6/30/03
	James Murphy	6/30/03
	Colin Spence	6/30/03
	BOS Stuart Weisfeldt	6/30/03
	SC James Trager	6/30/03
Community Action Program Cmte.	Peter Bagni	6/30/03
	James Clancy	6/30/03
	Andrea Flagg	6/30/03
	Eric Groves	6/30/03
	William Hood	6/30/03
	Beverly Koltookian	6/30/03
	Denise Marcaurelle	6/30/03
	Andrew Sheehan	6/30/03
	Deborah Villano	6/30/03
Community Teamwork	Martin Walsh	6/30/03

Conservation Commission	David McLachlan	6/30/04
	Charles Arnold	6/30/04
	Anthony Omobono	6/30/04
	Brian Reidy	6/30/05
	William Vines	6/30/05
Council on Aging	John Clancy	6/30/03
	Richard Condike	6/30/03
	Catherine Goodwin	6/30/03
	Robert Grippo	6/30/03
	Virginia Hall	6/30/03
	Joan Latourneau	6/30/03
	John Cody	6/30/03
	Donna Pechulis	6/30/03
	Thomas Turner	6/30/03
	Joe Warburton	6/30/03
Cultural Council	Jeffrey Carney	6/30/04
	Carol Kelly-Suleski	6/30/04
	Carol Wiljanen	6/30/04
	Anne Marie Messier	6/30/04
	Judy Jumpp	6/30/04
Commission on Disabilities	John Duggan	6/30/05
	Richard Johnson	6/30/05
	Martha McCuller	6/30/05
	Terri McGovern	6/30/04
Emergency Management	John Abbott	6/30/03
	Walter Adley	6/30/03
	Brad Cole	6/30/03
	Paul Eriksen	6/30/03
	Walter Hedlund	6/30/03
	Stephen Maffetone	6/30/03
Fence Viewer	James Pearson	6/30/03
Great Brook Advisory Board	Harold Matzkin	6/30/03

Hazardous Waste Coordinator	Richard Day	6/30/03
Historic District Commission	John Handley	6/30/05
	Leonard Richards	6/30/05
	alt. Philip Currier	6/30/05
	alt. *Vacancy*	6/30/05
Historic Commission	John Goodwin	6/30/05
	George Merrill	6/30/05
Holiday Decorating	Carrie Bacon	6/30/03
	Ruthann Burkinshaw	6/30/03
	Ellen Donovan	6/30/03
	Linda Harrington	6/30/03
	Donna Johnson	6/30/03
	Jean Kydd	6/30/03
	Iris Larssen	6/30/03
	Marie Massota	6/30/03
	Gloria Schoen	6/30/03
	Jacqueline Wunschel	6/30/03
Local Emergency Planning Committee	Bernard Lynch	6/30/03
	Richard Day	6/30/03
	Judith Dunigan	6/30/03
	Walter Hedlund	6/30/03
	Raymond McCusker	6/30/03
	James Murphy	6/30/03
	John Parow	6/30/03
	James Sousa	6/30/03
	James Pearson	6/30/03
	Andrew Sheehan	6/30/03
Merrimack Valley Health Planning Council	Martin Walsh	6/30/03
Middlesex Canal Commission	Jane Drury	6/30/04
	alt. Robert Morse	6/30/04

Personnel Board	Charles Tewell	6/30/04
	vacancy	6/30/04
Recycling Committee	Kathryn Brough	6/30/03
	Mark Gallagher	6/30/03
	Ronald Goodner	6/30/03
	Marc Grant	6/30/03
	John Jarok	6/30/03
	Nancy Kaelin	6/30/03
	Joanna Morse	6/30/03
	Lisa Sarnie	6/30/03
Secondary School Building Cmte.	Dean Carmeris	6/30/03
	Charles Buuck	6/30/03
	Mark Luchini	6/30/03
	Edward Morassi	6/30/03
	David McLachlan	6/30/03
	Patrick Maloney	6/30/03
Selectmen	William Dalton	6/30/03
Finance Committee	William Curry	6/30/03
School Committee	Cheryl Perkins	6/30/03
Selectmen Alt.	Thomas Moran	6/30/03
Finance Committee Alt.	Kevin Porter	6/30/03
School Committee Alt.	Sheila Pichette	6/30/03
Non-voting	John Coderre	6/30/03
Non-voting	Karen Mazza	6/30/03
Sealer of Weights and Measures	Tony Zagzoug	6/30/03
Sign Advisory Committee	Kathleen Roark	6/30/05
	vacancy	6/30/05
	vacancy	6/30/03
Telecommunications Advisory Committee	James Hickey	6/30/03
	Robert Kelley	6/30/03
	David Marderosian	6/30/03
	Jeffrey Stallard	6/30/03
	James Gifford	6/30/03

Veteran Emergency Fund Committee

Pct.6 Alfred Coburn	6/30/03
Pct.4 Thomas Firth	6/30/03
Pct.9 Lloyd Greene	6/30/03
Pct.7 Alan Greenhalgh	6/30/03
Pct.3 John Kenney	6/30/03
Pct.1 Robert LaPorte	6/30/03
Pct.2 Carl Lebedzinski	6/30/03
Pct.5 Frederick Reid	6/30/03
Pct.8 Neal Stanley	6/30/03

Selectman Moran seconded, appointments approved unanimously.

SCHEDULED BUSINESS

Update on Chelmsford Telemedia: J. Kelly Beatty

Kelly Beatty came before the Board to provide an update on the Chelmsford Telemedia. Chelmsford Telemedia is a non-profit corporation that provides all the local access television. Since 1995 their employees have been paid with monies received from a charge on the AT&T Broadband bill. Mr. Beatty reported the highlights of a survey distributed with the most recent census. Ninety-one percent of all households receive cable television. A number of the programs produced by Telemedia have achieved national recognition within the cable access community. AT&T's contract will be up for renewal in 2005.

Public Hearing: Application for Common Victualer License, Sal's Pizza, 296 Chelmsford Street

Salvatore Lupoli, 4 Forrest St., Chelmsford came before the Board to request approval for a Common Victualer license for Sal's Pizza, 296 Chelmsford Street.

Selectman McCall moved to approve a Common Victualer license for Sal's Pizza, 296 Chelmsford Street for the hours of operation of 11 am to 9 pm Sunday through Thursday, and 11 am to 10 pm Friday and Saturday, subject to the submission of a current floor plan and a food service permit from the Board of Health. Selectman Moran seconded, license approved unanimously.

Application for Change of Manager/Owner, Carvel Ice Cream Store, 107 Drum Hill Road

Selectman McCall moved to table the application for the Change of Manager/Owner, Carvel Ice Cream Store, 107 Drum Hill Road, due to lack of representation at the meeting. Selectman Moran seconded, approved unanimously.

Application for Common Victualer License, Celtic Restaurants & Pubs, 17 Vinal Square

Tim Matson, 40 Newfield St. came before the Board to request a Common Victualer license for Celtic Restaurants and Pubs, Inc. d/b/a Garlic Clove, 17 Vinal Square.

Selectman McCall moved to approve the Common Victualer license for Celtic Restaurants and Pubs, Inc. d/b/a Garlic Clove, 17 Vinal Square for the hours of operation of 11 a.m. – 11 p.m. seven days, subject to the submission of a current floor plan and a food service permit from the Board of Health. Selectman Moran seconded, license approved unanimously.

Application for Common Victualer License, Adams Corner Variety, 11 Vinal Square

Mr. Khaghani, 49 Swanton St., Winchester came before the Board to request a Common Victualer License for Adams Corner Variety, 11 Vinal Square. The Board asked Mr. Khaghani if there were any changes to be made to the store. Mr. Khaghani said that some of the materials in the store would be removed and replaced with more family-friendly items. There would be no structural changes made to the floor plan of the store.

Selectman McCall moved to approve the application for a Common Victualer license for Adams Corner Variety, 11 Vinal Square, subject to the submission of a current floor plan and a valid food service permit from the Board of Health. Selectman Moran seconded and license approved unanimously.

Application for One-Day Liquor License – St.Vartanantz Church

Richard Madanjian came before the Board to request an application for a One-Day Beer and Wine License for St. Vartanantz Church annual picnic. Four TIPS certified servers will be in attendance at the event.

Selectman McCall made a motion to approve a One-Day Beer and Wine License for St. Vartanantz Church for August 11, 2002 from 12 pm to 6 pm. Selectman Moran seconded and license approved unanimously.

UNSCHEDULED BUSINESS

Board of Selectmen Appointments

Selectman McCall moved to approve the following appointments: Jean Sullivan, Town Accountant for a three year-term; Dennis Bak to the Capital Planning Committee for a one-year term; and Kopelman & Paige, Town Counsel for a one-year term. Selectman Moran seconded and appointments approved unanimously.

Ballot Question

Selectman McCall moved that the Board of Selectmen formally petition the Secretary of the Commonwealth to include the following question on the November 5, 2002, State election ballot:

> *Shall the Town of Chelmsford be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to design and construct Phase 1 of the Chelmsford Secondary Schools Building Project?*

Selectman Moran seconded, motion approved unanimously.

SELECTMAN REPORTS/REFERRALS

- Selectman Moran announced a public showing of a new digital imaging emergency system to take place at the Billerica Town Hall on August 7.
- Selectman Moran requested that the Town Manager provide a summation of the M.G.L. c.40B. This is known as the comprehensive permit law. The intent of the legislation in 1969 was to provide affordable housing. A goal was set to have all communities maintain a rate of 10% affordable housing. Contractors seeking to build affordable housing would be able to bypass much of the local planning Board process. The legislation was later

modified to provide concessions to communities with plans in place to increase the amount of affordable housing.

- Selectman Weisfeldt reported that he and Selectman Dalton had attended a ceremony honoring Mrs. Hortense Locke, a resident of Palm Manor Nursing Home, upon the occasion of her 104th birthday. She received a key to the Town and the Boston Post Cane.

- Selectman Eliopolous reported that construction on the Bike Path should start this fall. The tunnel is complete. Modern Continental maintains that the Steadman Street Bridge continues to be on time and on budget. The Board requested information on how the Drum Hill Rotary was to be constructed without disrupting traffic flow. The rotary "box" will be built around the existing rotary. It will be phased so that there won't be any long-term interruption of services.

- Selectman McCall reported complaints from residents concerning Russell Disposal. Residents were advised to contact the Town offices so that complaints can be resolved with Russell.

- The Board discussed the school building project. Placing a ballot question on the Fall Town Meeting Warrant gives the residents the opportunity to vote on the project at the November election. The SSBC will have definitive information on the actual cost of the project before Town Meeting. Information on the project is available on the SSBC website, the Town website, or from the independent group Support Our Schools (SOS).

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, September 9, 2002, at 7 p.m. There being no further business the meeting adjourned at 8:30 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

September 9, 2002

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

Open Session

Meeting Minutes
- Board of Selectmen: June 3, 2002
  June 17, 2002

Town Manager Appointments
- Town Clerk

Town Manager Reports

Town Manager Bids/Contract Awards

Scheduled Business

7:30 p.m. Application for Change in Manager - Carvel Ice Cream Store
107 Drum Hill Road

7:35 p.m. Application for Change in Hours - Westland Wine & Spirits
229 Chelmsford Street

Unscheduled Business
- Memorandum of Understanding:
  Town of Chelmsford and Chelmsford Telemedia Corp.
- Approval of Sewer Bonds

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Meeting: September 23, 2002

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
SEPTEMBER 9, 2002

A regular meeting of the Board of Selectmen was held on September 9, 2002, at the Town Offices beginning at 7:00 p.m. Board members present were William Dalton, Thomas Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager. Selectmen Eliopoulos and McCall were not present.

APPROVAL OF MINUTES

Board of Selectman Meeting Minutes – June 3, 2002 and June 17, 2002

Selectman Moran moved to approve the regular Board of Selectman minutes from the meetings of June 3 and June 17, 2002. Motion seconded and minutes approved unanimously.

TOWN MANAGER APPOINTMENTS

Town Manager Appointments-Town Clerk

The Town Manager appointed Betty Delaney to the position of Town Clerk. Mary St. Hilaire is taking advantage of the early retirement program and retiring from the position of Town Clerk after 30 years. Ms. Delaney has held the position of Assistant Town Clerk for the past 25 years.

Selectman Moran moved to approve the Town Manager's appointment of Betty Delaney to the position of Town Clerk effective September 16, 2002. Motion seconded. The Board inquired as to whether the Assistant Town Clerk position would be filled. The Town Manager replied that it would be filled. The Board wished Mary St. Hilaire well in her retirement and expressed their appreciation for her service to the Town. Appointment approved unanimously.

SCHEDULED BUSINESS

Application for Change in Manager – Carvel Ice Cream Store, 107 Drum Hill Road

The Town Manager informed the Board that Carvel had yet to submit the application for the Change in Manager. The Town Manager recommended that the Board table the application to the following meeting, but inform the establishment that the Town would be looking into the validity of their current license, and if found without the proper licensing appropriate action would be taken.

Selectman Moran moved to table the application for a change in manager to the following meeting. Motion seconded and approved unanimously.

Application for Change in Hours – Westland Wine & Spirits

Melany Houth came before the board to request a change in hours for the Westland Wine & Spirits, 229 Chelmsford St. The hours would be increased to 8:30 am – 11 pm Monday through Saturday and 12 noon – 8 pm Sundays. The Town Manager pointed out that Westland Wine & Spirits and Michelle's Liquors were the only liquor stores in town not open until 11 pm.

Selectman Moran moved to approve a change in hours for Westland Wine & Spirits, 229 Chelmsford St. for the hours of 8:30 am – 11 pm Monday through Saturday and 12 noon – 8 pm Sundays. Motion seconded and approved unanimously.

TOWN MANAGER REPORTS

September 11th Observance

Flags on all public buildings will be lowered to observe the anniversary of the September 11th attacks. The intent of the day is one of solemnity and remembrance. At our request, the Chelmsford Clergy Association has organized the ringing of church bells for one minute at the times the attacks took place in honor of the lives lost.

Budget

The Town Manager has met with the Finance Committee to present the status on the FY03 budget. There is $50,000 more in new growth than anticipated. State Aid is down $193,000. The Early Retirement program should help reduce costs. Health insurance costs continue to rise. The Manager predicted another two to three years of difficult times ahead.

Town Meeting Warrant

The Town Manager read through the articles in the Fall Town Meeting Warrant as follows:

1. Hear Reports
2. Stabilization Fund
3. Medicaid
4. Late Bills
5. One-Time Retirement Costs
6. E-Rate
7. Community Action Program
8. Sewer Easements
9. Police Station Appropriation
10. Central Square Utilities Easements
11. Amend Utility Depression Area
12. Community Preservation
    (Lime Quarry Reservation parking area)
13. Community Preservation
    (Riverside Cemetery restoration)
14. Community Preservation
    (Middlesex Canal survey)
15. Community Preservation
    (CHA low income elderly housing)
16. Community Preservation
    (CHA affordable housing unit)
17. School Construction Project
18. School Construction Sub Bid Legislation
19. Wilson Lane Correction
20. Court Judgments
21. Regina Drive Rezoning

22. Gary Road Correction
23. Recognition Committee
24. Deputy Police Chief
25. Budget Balance
26. Annual Report Change
27. Mill Road Land/Sewers
28. Route 3 Rest Area Rezoning
29. Scotty Hollow

The Board will vote to post the Warrant at the next meeting.

Meadowbrook Railroad Crossing

Work at the Meadowbrook Railroad Crossing has been slowed due to some difficulties in coordinating the project.

Hong & Kong Restaurant

The Town has received a letter from the District Attorney's Office regarding a motor vehicle accident. The driver reportedly had been served alcohol at the Hong & Kong Restaurant prior to the accident. Police Chief McCusker is working with the owner of the restaurant regarding the matter. The owner has been very cooperative. The Town Manager recommends having the Hong & Kong Restaurant come in at a meeting in October to discuss the situation.

UNSCHEDULED BUSINESS

Memorandum of Understanding: Town of Chelmsford and Chelmsford Telemedia Corp.

Selectman Moran moved to approve the Memorandum of Understanding between the Town of Chelmsford and Chelmsford Telemedia Corporation for a two-year period from July 1, 2001 to June 30, 2004. Selectman Weisfeldt seconded, motion approved unanimously.

Approval of Sewer Bonds

Fred Mansfield came before the board to present the sewer bond for 6.4 million dollars through the Water Abatement Trust Program.

Selectman Moran made a motion that the Town will issue bond or bonds in the aggregate principal amount not to exceed $6.4 million as outlined by bond counsel, items 1-6 as follows:

1) That the Town shall issue a bond or bonds in an aggregate principal amount not to exceed $6,400,000 (the "Bonds") pursuant to Chapter 29C and 44 of the General Laws and a vote of the Town passed April 29, 1996 (Article 15), for construction of sewers and other water pollution control facilities (the "Project");
2) That in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed $5,856,851;
3) That each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Water Pollution Abatement Trust (the "Trust") at a price determined pursuant to the Loan Agreement;

4) That the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Loan Agreement or Agreements with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds or Notes;
5) That all action taken to the date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and
6) That the Treasurer and the appropriate Town officials are each hereby authorized to take any and all actions necessary and convenient to carry out the provisions of this vote, including execution and delivery of the Loan Agreements and the Project Regulatory Agreements in relation to the Project.

Selectman Weisfeldt seconded, motion approved unanimously.

SELECTMAN REPORTS/REFERRALS

- Selectman Moran attended a ribbon cutting ceremony for Sal's Pizza in Chelmsford. The board wished the business well.
- The train committee should be meeting soon on the feasibility study for the rail line. Cost figures should be forthcoming at that time.
- Residents on Graniteville Road are concerned about the number of trucks that are frequenting the road from Westford. The Town Manager said a traffic count and speed study would be conducted.
- Selectman Moran asked if there was representation from Chelmsford at recent meetings in Lowell regarding hazardous train cargo. The Town Manager responded that a letter was sent in support of the endeavor with interest expressed in taking part in the discussions.
- Selectman Weisfeldt asked whether the Ciro's auction had been held. The Town Manager responded the auction had been postponed to September however; a third party has stepped in. Further information would be available by the end of the month.
- The Town Manager reported the Library's annual book sale would be held on September 21, 22 and 23 in the Town Office Building gym.
- Selectman Dalton reported that there have been four SSBC meetings since the last BOS meeting. The middle school cost estimates should be in this week. The committee should be able to come in and report on the 23rd. The committee will be going before the School Committee on the 17th to present the cost estimates.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, September 23, 2002 at 7 pm. The board voted by roll vote to go into executive session for the purpose of discussing litigation. There being no further business the regular meeting adjourned at 8:15 pm.

Respectfully submitted,

Donna McIntosh.

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

September 23, 2002

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Proclamation: Knights of Columbus Day for Handicapped Children

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s)
- Board of Selectmen: July 15, 2002 (Regular Meeting & Work Session)

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

Scheduled Business

7:15 p.m. Application for Common Victualer License: Tia's Buffet
257 Littleton Road

7:20 p.m. Application for Change in Manager: Carvel Ice Cream Store
107 Drum Hill Road

7:30 p.m. Secondary School Building Committee Presentation

Unscheduled Business
- Town Meeting Warrant

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Meeting: October 7, 2002

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
SEPTEMBER 23, 2002

A regular meeting of the Board of Selectmen was held on September 23, 2002, at the Town Offices beginning at 7:00 p.m. Board members present were Bill Dalton, Phil Eliopolous, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

PUBLIC SERVICE ANNOUNCEMENTS

Proclamation: Knights of Columbus Day for Handicapped Children

Selectman McCall read a proclamation declaring the week of October 6th the 13th Annual Tootsie Roll Fundraising Campaign conducted by the Bishop Ruocco Council of the Knights of Columbus. Donations will be used to assist physically and mentally challenged children.

APPROVAL OF MINUTES

Board of Selectman Meeting Minutes –July 15, 2002 (Regular Meeting & Work Session)

Selectman Moran made a motion to approve the regular Board of Selectman minutes from the meeting of July 15, 2002. Motion seconded and minutes approved unanimously.

SCHEDULED BUSINESS

Application for Change in Manager – Carvel Ice Cream Store, 107 Drum Hill Road

Robert Wilson came before the Board to request a change in manager for the Carvel Ice Cream Store at 107 Drum Hill Road. The Board questioned the length of time it took Mr. Wilson to come before the Board on the matter. Mr. Wilson responded that there was some confusion due to the fact that he and the former manager share the same name.

Selectman McCall moved to approve an application for a Change in Manager for the Carvel Ice Cream Store, 107 Drum Hill Road for the hours of operation from 9 am – 9 pm weekdays and 10 am – 6 pm on Sundays. Motion seconded and approved unanimously.

Application for a Common Victualer License: Tia's Buffet, 257 Littleton Road

Tia Ambrosio came before the Board to request a Common Victualer License for Tia's Buffet, 257 Littleton Road. Ms. Ambrosio informed the Board that at some point she would like to extend the hours of operation on weekends to be open 24 hours. One goal of the establishment is to serve the needs of the local Brazilian community. The owners feel that there is a clientele to be served late nights on weekends. However, at this point the hours of operation would be 6 a.m. to 10 p.m., seven days a week.

Selectman McCall made a motion to approve a Common Victualer's License for Tia's Buffet, 257 Littleton Road, from the hours of 6 a.m. to10 p.m., seven days a week. Motion seconded, license approved unanimously.

Secondary School Building Committee Presentation

Dean Carmeris, Chairman of the Secondary School Building Committee (SSBC) came before the Board to present an overview of the school building project. The process began in 1999 with the school building assessment. In 2001 the SSBC was formed with the intent to select a design firm, produce a design with cost estimates, and educate the community. The process has reached

the point where the schematics are complete and cost estimates are in. The project is ready to go on the Fall Town Meeting warrant for approval. If approved at Town Meeting, it will also need to be approved as a ballot question in November.

After careful study, it was determined that the McCarthy School, built in 1959 is nearing the end of its life expectancy. The Parker School is severely overcrowded and poorly designed to meet today's educational needs. The high school, built in 1974, has numerous systems that are beyond their life expectancy. There is no auditorium and the school population is rising. The SSBC recommends renovating and adding to the high school. A new McCarthy School will be built, with renovations done to Parker. This plan will help with phasing. The total cost is $110,253,000 with an expected reimbursement rate between 60-65%. When the project gets final approval from the School Building Assistance Program in June 2003, it will receive a final reimbursement rate from the State. If the project is not approved by SBA, the Town is under no obligation to begin the project.

To provide the public with an idea of the increase in taxes, the reimbursement rate was set at 63%, with a short-term interest rate of 3% and long-term bonds of 4.75%. With these figures the estimated tax increase for the average homeowner is $209 per year over the life of the project. The SBA assumes a level principal debt payment plan. The alternative is to take on level payments over the course of the loan. The Board requested a schedule that would reflect the tax increase for homes with a value over $250,000. The Board favored a level payment schedule to provide taxpayers with a firm idea of what the cost would be and also to provide equity. The proposed Proposition 2 ½ debt exemption is only in effect until the project is complete. The reimbursement is over 25 years. The Board discussed tax relief for seniors through the Circuit Breaker program of the Mass. Department of Revenue. The sum of the taxes and one-half of water and sewer payments cannot exceed 10% of total income to receive tax relief.

The Board agreed to look at the matter and the figures. The SSBC agreed to provide a schedule based on a level payment schedule. Some members of the Board wanted the opportunity to look over the figures more carefully before voting to support the project. The Board would vote on the question at the next scheduled meeting.

TOWN MANAGER REPORTS

Budget

There remains a $296,000 difference between expected revenues and expenditures. The Early Retirement Program promises additional savings. In good news, $570,000 from Chapter 90 funds will be allocated by the State for roadwork.

Sound Barriers

The Town Manager read a list of streets being studied for sound barriers along the Route 3 corridor. The studies would be conducted over the next couple of months.

Board of Health

The Town Manager announced a vacancy on the Board of Health. A joint meeting of the Selectmen and Board of Health would be scheduled to appoint a new member.

Budget Award

For the fifth year in a row, Chelmsford has been awarded a Distinguished Budget Presentation Award from the Government Finance Officers Association. The Town Manager thanked John Coderre for his efforts.

UNSCHEDULED BUSINESS

Town Meeting Warrant

Selectman McCall made a motion to post the Fall Meeting Warrant. Motion seconded, motion to post warrant approved unanimously.

SELECTMEN REPORTS/REFERRALS

- Some political signs remain up around Town. Selectman Moran reminded the community that the deadline for removing such signage is no later than 14 days after the election. This led to a discussion of the need and challenge of enforcing the Sign By-Law.
- Selectman Moran reported on the NMCOG meeting of August 21st. A 64-page feasibility study was completed by the MBTA on a possible commuter rail station in North Chelmsford. Selectman Moran continues to monitor the project and advocate for a station in Chelmsford.
- In response to a referral from a previous meeting, Mr. Lynch said the railroad crossing at Southwell Field is a private crossing. The Police Chief has put the railroad company on notice that the crossing is a safety hazard and needs quite a bit of work.
- Selectman Weisfeldt was pleased to report on the success of the annual Friends of the Library Book Sale that was held the previous weekend.
- Selectman Dalton suggested the Board meet with the School Committee, the Finance Committee and the Chelmsford reps to Nashoba Valley Tech. The Town Manager said a meeting was being arranged for November.
- Selectman Dalton requested an update on the Fire Department's new Quint truck which had caught fire. The Town Manager responded that the final report wasn't in yet, however it appears there was an electrical problem that ignited diesel fuel, which caused considerable damage to the engine of the truck. Insurance will cover all repairs.
- Selectman Dalton wanted to clarify that the Board has yet to take a position on the school project. A vote taken during the August meeting was a requirement of the State in order to place the question of Debt Exemption on the November State Ballot.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, October 7, 2002 at 7 p.m. There being no further business the regular meeting adjourned at 9:20 pm.

Respectfully submitted,

Donna McIntosh.

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

October 7, 2002

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Certificates of Appreciation – ERI Retirees

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s) *(none)*

Town Manager Reports

Town Manager Appointments
- Chief Assessor
- Board of Assessors
- Re-appointment of Precinct Workers

Town Manager Bids/Contract Awards

Scheduled Business

7:30 p.m. Hong & Kong Restaurant

7:45 p.m. Applications for Two (2), One-Day Liquor Licenses
St. John the Evangelist Church

7:50 p.m. Applications for One (1) One-Day All Alcohol License and
One (1) Two-Day Beer & Wine License – St. Vartanantz Church

Unscheduled Business
- School Building Project Financing
- Roadside Vendor Application (Christmas Trees)
  Gregory Spring & James Rich

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Meeting: October 21, 2002

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
OCTOBER 7, 2002

A regular meeting of the Board of Selectmen was held on October 7, 2002, at the Town Offices beginning at 7:00 p.m. Board members present were William Dalton, Philip Eliopolous, Michael McCall, Thomas Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

OPEN SESSION

Mary Frantz, League of Women Voters

Mary Frantz, League of Women Voters, came before the Board to announce the LWV is sponsoring two events to provide information on the school building project. The first is to be held on Wednesday, October 23 at 1:00 p.m. at the Senior Center. The second is to be held on Tuesday, October 29 at 7:30 pm. The Secondary School Building Committee is scheduled to attend both sessions to answer questions.

John Harrington, Chelmsford Business Association

John Harrington came forward on behalf of the Chelmsford Business Association to announce a "Candidate Night" to be held at the Radisson Hotel on Thursday, October 10 at 7 p.m. All local candidates have committed to being there.

Chelmsford Arts Society – Linda Puiatti

Linda Puiatti, came before the Board on behalf of the Chelmsford Arts Society to request consideration to use the Dutton House as a home for the Art Society. They has been serving the Chelmsford Community for 30 years without a permanent home. Mr. Lynch responded that a letter had been received from the Art Society. The Town is interested in helping the group find a permanent home, but there were a number of issues associated with the Dutton House, including accessibility, parking and current Library utilization

PUBLIC SERVICE ANNOUNCEMENTS

Certificates of Appreciation – ERI Retirees

The Board presented certificates of appreciation to those retiring under the Early Retirement Incentive as follows:

Name	Title
Mary St. Hilaire	Town Clerk
Diane Phillips	Town Assessor
Sandra Kilburn	Departmental Assistant, Registrars
John Emerson, Jr.	Assistant Health Director
Isabella Haggerty	Secretary Byam School
Janet Houde	Food Service Manager
Carolyn Clancy	Communication Secretary, Parker School
Diana Wright	Departmental Assistant, Board of Health

Angela Dowd	Executive Secretary, Supt. of Schools
James Casparro	Sewer Maintenance Mechanic
Kathleen Burns	IPSP Teacher Aide, McCarthy School
Judith Dunigan	Town Nurse
Joseph Shaw	Local Building Inspector
Joann Digiovanni	IPSP Teacher Aide Parker School
Dorothy Boisvert	Custodian Parker School
James Reid	Firefighter
Richard Adams	Patrol Officer
Edward Nolet	Firefighter
Raymond Kydd	Firefighter
William Burke, Jr.	Fire Captain
Ernest Woessner, Jr.	Patrol Officer
William Dalton	Firefighter
William Jamer	Firefighter
David Campbell	Firefighter
Timothy O'Connor	Police Sergeant

SCHEDULED BUSINESS

Hong & Kong Restaurant

Joseph Eng, manager of the Hong & Kong Restaurant came forward to respond to questions regarding a number of alcohol-related offenses committed by patrons of the restaurant. Mr. Eng responded that the restaurant had implemented a number of strategies to contend with this problem including observing and enforcing the alcohol policy, installing video cameras, relieving a bartender of his duties that was found to be in violation of policy, no longer announcing last call, inquiring of patrons if there is a "designated driver", providing all employees the rules and regulations of the alcohol policy. These policies have been in place for approximately a year and a half. Selectman Dalton commented that despite these measures there are still a page and a half of police calls. Mr. Eng replied that on occasion despite the staff's efforts to intervene it is still necessary to call the police. Mr. Dalton said, on behalf of the Board, that the owner of the establishment has a clear responsibility to adhere to the rules and regulations of the license. The Board, as the licensing authority, has a responsibility to enforce those rules and regulations. Two of the restaurant staff members took the podium and said they were working hard to enforce the rules and regulations. The Board recognized that the Hong & Kong was a long established local institution and appreciated their efforts in trying to improve the situation.

Applications for Two (2) One-Day Liquor Licenses, St. John the Evangelist Church

Jane Saki, 5 Jefferson Dr., Tyngsboro came before the Board seeking two one-day liquor licenses for St. John the Evangelist Church. One date is for a Spaghetti Supper on Oct. 19 and the other is for an Appreciation Dinner to be held on Dec. 7 from 6:30 pm– 11:30 pm.

Selectman McCall made a motion to approve two one-day liquor licenses for St. John the Evangelist Church for Oct. 19 from 5 pm – 8 pm and Dec. 7 from 6:30 pm – 11:30 pm . Motion seconded and approved unanimously.

Applications for One (1) One-Day All Alcohol License and Two (1) One-Day Beer & Wine Licenses – St. Vartanantz Church

Richard Madanjian, St. Vartanantz Church came before the Board seeking a One-Day All Alcohol License and two One-Day Beer & Wine Licenses for St. Vartanantz Church.

Selectman McCall made a motion to approve a One-Day All Alcohol License for October 19th from 6 pm –11 p.m., and two One-Day Beer & Wine Licenses for November 22 from 12 p.m. – 8 p.m. and November 23 from 12 p.m. – 8 p.m. Selectman Dalton seconded, licenses approved unanimously.

TOWN MANAGER APPOINTMENTS

Chief Assessor

Selectman McCall made a motion to approve the Town Manager appointment of Frank Reen as Chief Assessor, and Diane Phillips to the Board of Assessors. Motion seconded, appointments approved unanimously.

Precinct Workers

Selectman McCall made a motion to approve the Town Manager reappointments of precinct workers for the next two years. Motion seconded, appointments approved unanimously.

Budget

The Town Manager provided a preliminary report on the FY 2003 budget. There is currently a $647,000 gap between revenues and expenses. The gap needs to be closed. A combination free cash and departmental cutbacks will be used to close it. FY 2004 remains the big concern. The State is currently looking at a shortfall of approximately $1.2 billion. Miscellaneous receipts show a small decrease but building permits are up. At this time we are looking at using approximately $1.9 million in the stabilization fund for FY04. Health insurance costs are projected to increase 15%. There are still discussions taking place regarding health insurance but a decision hasn't been reached yet. The most recent problem is a $1.1 million increase in the Middlesex County Retirement assessment. This is a result of losses in the retirement fund's investments. The State requires that every retirement be fully funded by 2028. Information was recently obtained and work needs to be done to assess it with the other affected communities. At this point there's just a framework to the budget. Other figures including the departmental requests need to be worked in.

UNSCHEDULED BUSINESS

School Building Project Financing

The Board discussed the matter of financing for the school building project. The Town Manager advised that the financing can be structured in one of two ways. The payments can be level over the length of the project. Level payments ensure the costs aren't front loaded where current residents are taking on the bulk of the loan. The Board supported level funding as being more equitable and allowing for budgeting. Selectman Moran moved the Board recommend a level

debt payment scenario for the secondary school building project. Motion seconded and approved unanimously.

Selectman Moran expressed concern about the dollar amount of the contingency fee on the school building project.

Roadside Vendor Application (Christmas Trees) - Gregory Spring

Selectman McCall made a motion to approve a Roadside Vendor License to sell Christmas trees for Gregory Spring from December 1 through December 24th at Sully's Ice Cream from 9 a.m. – 9 p.m. Motion seconded, license approved unanimously.

Roadside Vendor Application (Christmas Trees) - James S. Rich

Selectman McCall made a motion to approve a Roadside Vendor License for James Rich to sell trees and wreaths at the Central Congregational Church, 1 Worthen Street from November 24 to December 23 from 9 a.m.- 9 p.m. Motion seconded, license approved unanimously.

SELECTMEN REPORTS/REFERRALS

- Selectman Weisfeldt received a call from a resident on North Road that had rescued a dog, but couldn't reach the dog officer. The resident stated that an unsatisfactory response was provided by the Police department, but the dog officer did eventually come out.
- In response to a question from Selectman Eliopolous regarding Chelmsford Center, Mr. Lynch replied that the construction contract had been awarded to MDR Construction. Construction will begin next spring. The depression of the utilities is proceeding. The utility companies have been difficult to work with.
- Selectman Eliopoulos said the Stedman St. Bridge opened Friday afternoon. Lowell was invited for a brief unplanned ceremony. Construction continued during the ceremony. He went on to thank the residents for their patience.
- At the PAC meeting, Selectman Eliopolous learned that the State has instituted a plan to save as many trees as possible along the corridor. In some locations it wasn't possible, but the effort was made.
- Selectman McCall suggested that a tree zone be placed in the median along Route 3. Selectman Eliopolous said that Federal guidelines needed to be adhered to, but he would look into it.
- Selectman McCall said that he had received calls concerning the fire stations. Mr. Lynch responded that he had had a meeting with the Fire Chief. He and the Chief share the community's concerns. Financial realities must be taken into consideration and things must be handled cost effectively. Decisions regarding the number of stations are inevitable. The community of Andover is similar in size and area and they have only three stations. Three stations may be an ideal number but they may need to be configured differently than they currently are. It may be the case that less staffing is necessary with fewer stations. Selectman Dalton felt that staffing has been compromised, as has the safety of the Fire Dept. employees and community. Selectman Weisfeldt commented that a discussion with local firefighters suggested that staffing was more important than the number of stations. Discussion continued around the issue of station closures.

- Selectman Moran reported on the NMCOG meeting where the Feasibility Study for a Train Station in North Chelmsford was discussed. There was positive feedback about having a train station in North Chelmsford.
- Selectman Weisfeldt said the vacancy on the Board of Health would be filled at a joint meeting of the Board of Health and Selectmen on November 4.
- Selectman Dalton requested information on whether the blood pressure clinic would continue at the Board of Health. Mr. Lynch said that Public Health Nurse Judy Dunigan was staying on at 15 hours a week, and he would look into whether the clinic would continue.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, October 21, 2002 at 7 p.m. There being no further business the regular meeting adjourned at 9:30 p.m.

Respectfully submitted,

Donna McIntosh.

BOARD OF SELECTMEN
MEETING MINUTES

OCTOBER 15, 2002

A meeting of the Board of Selectmen was held on October 15, 2002 beginning at 12:15 p.m. Board members present were William Dalton, Philip Eliopoulos, Michael McCall, Thomas Moran and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

The purpose of the meeting was to determine if the Board would vote to endorse the proposed secondary school building project of approximately $112 million at the Fall Town Meeting

A report provided by Gary Persichetti of the School Maintenance Department entitled "Projects Accomplished – Summer" dated September 4, 2002 was reviewed by the Board.

Several members expressed concern about the contingency numbers of the school project. Some additional costs were identified, and a question arose about the possible impact on operational budgets.

The Board spoke in turn to give their views on the project. Selectman Moran gave his strong support to the project. Selectman McCall supported the project as it will improve the infrastructure of the Town, increase home values, and enhance the quality of the overall school system. Selectman Weisfeldt supported the project but questioned the need for two auditoriums. Selectman Eliopoulos said he also had concerns about the need for two auditoriums, but after considering the extent of the work of the Secondary School Building Committee and the expertise they lent to the project, he would support it. He asked if it were possible to put the school maintenance budget under a Town-wide facilities department. The Town Manager said it would require a home rule Charter change.

Selectman Eliopoulos stated that he would like to see language that makes the vote contingent upon the State School Building Assistance Program (SBA) reimbursement. If the project is finally approved by the voters in November, reimbursement by the SBA can be expected to begin in seven to ten years.

Selectman McCall made a motion to endorse the School Building Project as recommended by the SSBC, contingent upon reimbursement through the SBA and entitled Article 17 in the Fall 2002 Town Meeting Warrant. Selectman Moran seconded, motion passed unanimously.

There being no further business, the meeting was adjourned at 12:35 p.m.

Respectfully submitted,

Janet E. Murphy

Janet E. Murphy

BOARD OF SELECTMEN
MEETING MINUTES

OCTOBER 21, 2002

A meeting of the Board of Selectmen was held on October 21, 2002 beginning at 6:30 p.m. at the Senior Center, 75 Groton Road. Board members present were William Dalton, Philip Eliopoulos, Michael McCall, Thomas Moran and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager; John Coderre, Assistant Town Manager; and John Giorgio, Town Counsel - Kopelman & Paige.

The Selectmen met to review the warrant articles that would be presented at the Fall Town Meeting, October 21, 2002 at 7:30 p.m.

A brief summary of Articles 1 through 20 was presented by the Town Manager. With regard to Article 17, the School Building Project, it was noted that the representatives should be informed during discussion that the project is eligible for 65 percent reimbursement through the School Building Assistance program of the State of Massachusetts. With regard to Article 20, a proposed amendment to the zoning By-law, Atty. Giorgio noted that in his opinion this article is not likely to be approved by the Attorney General, but it could remain on the Warrant.

Selectman McCall made a motion to approve Articles 1 – 20 of the Fall Town Meeting Warrant. Motion seconded, passed unanimously.

With regard to Article 21 "The Recognition Committee" the Town Manager expressed his opposition as the article would remove authority from the Town in the issuance of awards, etc. to worthy individuals. Selectman McCall made a motion not to recommend Article 21. Motion seconded, passed unanimously.

Regarding Article 22, which would exempt the position of deputy police chief from civil service, the Manager stated that this article would eliminate the position of one Lieutenant and as the article states, must receive approval from the State Legislature. Selectman Dalton objects because of seniority considerations. The Town Manager stated that neither the police chief nor the fire chief should be a civil service employee because they should be removed from the political aspects of management. The Board decided not to offer an opinion on this article.

The Town Manager gave a brief summary of Articles 23, 24, 25 and 26. Selectman Moran moved to approve the Articles 23 through 26. Motion seconded, articles approved unanimously.

There being no further business, the meeting was adjourned at 7:05 p.m.

Respectfully submitted,

Janet E Murphy

Janet Murphy

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

November 4, 2002

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Proclamation – Veterans Day

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s)
- Board of Selectmen: August 5, 2002

Town Manager Reports

Town Manager Appointments
- 350th Committee

Town Manager Bids/Contract Awards
- Cooperative Bid – Road Salt

Scheduled Business

7:00 p.m. Joint Meeting: Board of Selectmen and Board of Health
Introduction to Candidates and Appointment to BOH

7:15 p.m. Tax Classification Hearing

7:45 p.m. LIP Project, Glen Avenue: Presentation by Chelmsford Capital Group and Chelmsford Housing Authority

Unscheduled Business
- BOS Vote: Petition for Underground Conduit, Littleton Road
(A Public Hearing Is Not Necessary)

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Meeting: November 18, 2002

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES

NOVEMBER 4, 2002

A regular meeting of the Board of Selectmen was held on November 4, 2002 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen William Dalton, Philip Eliopoulos, Michael McCall, Thomas Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

PUBLIC SERVICE ANNOUNCEMENTS

Proclamation - Veterans Day - Regina Jackson, Asst. Veterans Agent

Regina Jackson, Department of Veterans Services, came before the Board to announce that a Veterans Day Observance will be held Monday, November 11, 2002 at 11:00 a.m. at Veteran's Memorial Park to honor all veterans and especially those who have given their lives for our country. All members of the community particularly children are encouraged to attend.

OPEN SESSION

Street Lighting

Barry Balan, 54 Boston Road, requested the Board consider extending the Center underground utility plan to include Summer Street and Warren Avenue. The extension would provide a clear transition to the downtown area. The funding mechanisms are in place. The Board and Town Manager agreed that the idea was a good one. Mr. Lynch said there could be some problem with scheduling and engineering. The engineering is currently at 80% complete. The plan would be explored further.

Fire Department

Hal Waterhouse, 6 Technology Dr. came before the Board to address issues of safety. He feels that because the Town is without a ladder truck at present, the safety of the both the public and the firefighters is compromised. He proposed there be a study conducted to address consolidation and staffing.
Francis Conlin, 14 John St. came forward as a Union official and Town Meeting representative. He said when he voted he voted on 48 firefighters, not 36 active firefighters as there are now. He was very concerned about the lack of manpower. The Town Manager stated that ultimately concern for the public safety is the highest priority. The Town must also balance budgetary concerns in tough fiscal times. Both he and the chief are confident the two can be done, while ensuring that the Town and its firefighters are protected. The Town must ultimately address whether keeping five stations makes sense, or would three serve the needs of the Town. The configuration of these stations and the distribution of manpower need to be studied. He went on to say that the staffing issues, a result of injuries, retirements, and training new firefighters should be resolved by December. For the present, one station will be closed during the day Tuesday-Friday. The Board expressed concern about possible closures and agreed the issue needs to be studied. Mr. Conlin was asked if he thought a meeting would be helpful, and he

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETINGS

Board of Selectmen: August 5, 2002

Selectman McCall made a motion to approve the Selectmen Meeting Minutes from August 5. Motion seconded and minutes approved unanimously.

TOWN MANAGER REPORTS

Budget

The current condition of the State economy is dismal and will continue to weaken. It is very likely there will be reductions in State aid. The Board will meet with the Finance Committee and Nashoba Valley Technical School Reps the following week. The focus of the meeting will be an update from Nashoba Tech and a discussion of the budget. The emphasis will be on a look at services and the beginnings of a dialogue on how to get by with level funding.

Middlesex Retirement System

The assessment to the Town for the Middlesex Retirement System went up $1.1 million, a 45 percent increase. The Town is legally bound to carry the cost but can challenge it. The unanimous opinion of the other municipalities affected is to challenge the large increases in assessments they are all facing. The Middlesex Retirement System has done some refiguring and reduced the total amount of the overall assessment to the communities. This will reduce Chelmsford's increase to $600,000, a 22 percent increase. It is assumed that assessments will go up, however, the manner in which these costs are calculated must make sense. Chelmsford along with the other municipalities will continue to monitor and research the matter.

Graniteville Road

A traffic study on Graniteville Road has determined that 3.7% of the traffic is trucks. The volume is up a bit but speed has decreased. The decrease in speed is due to construction. Truck traffic on Lynn Ave. is at 2%. The DPW has been asked to look at alternate routes.

350th Anniversary Celebration Committee

The Town Manager informed the Board that he was tabling these appointments to the following meeting in response to some new information.

TOWN MANAGER BIDS/CONTRACT AWARDS

Cooperative Bid-Road Salt

The Town Manager requested the Board approve his contract awards to Eastern Salt at $27.15 for solar salt and Granite State Minerals at $26.41 per ton for mined salt.
Selectman McCall made a motion to approve the contract awards to Eastern Salt at $27.15 per ton for solar salt and Granite State Minerals at $26.41 per ton for mined salt. Motion seconded and approved unanimously.

SCHEDULED BUSINESS

Joint Meeting: Board of Selectmen and Board of Health – Introduction to Candidates and Appointment to BOH

Selectman Dalton called to order a joint meeting of the Board of Selectmen and the Board of Health for the purpose of appointing a new member to the Board of Health created by the resignation of Doug Hausler. Selectman Dalton invited the candidates to come forward and introduce themselves.
Stephanie Levelle, 189 Acton Rd, cited her 18 years of experience in the food safety field. In response to a question from the Board regarding the biggest issue facing the community, Ms. Levelle mentioned the new and resistant strains of pathogens.
Annmarie Roark, 9 Natalie Rd., stated that her education, years of practicing law and familiarity with the Town of Chelmsford prepared her for the position.
Dr. Wu, a current member of the Board of Health, took the podium and stated that Mr. Hausler's law background had proven valuable to the Board and provided overall balance. He hoped the appointee would fill this void and expressed support for Ms. Roark.
Selectman Dalton asked the Board for nominations. Selectman Moran nominated Stephanie Levelle. Selectman McCall seconded. Peter Dulchinos of the Board of Health nominated Annmarie Roark. Dr. Ernest Wu seconded the nomination. Selectman Dalton called for a hand vote. There were five votes as follows for Annmarie Roark-E.Wu, P.Dulchinos, P. Eliopolous, S. Weisfeldt, M. McCall. There were two votes for Stephanie Levelle-T. Moran, W. Dalton. Selectman Dalton asked for a motion to make the appointment unanimous. Motion seconded. Appointment of Annmarie Roark to the Board of Health unanimous.

Tax Classification Hearing

Steve Flynn came before the Board to get information regarding tax classification. Some members of the board expressed concern for parity. They further expressed concern that big businesses would not be affected but small businesses would if a separate tax rate for residences and businesses were put in place. Classification is determined by the state. The Board agreed that the issue needed to be studied further before being brought before the Legislature.
The real estate classification hearing is held on an annual basis to determine the tax rate for commercial, residential and industrial property. Representatives from the Assessors' office appeared before the Board and recommended keeping one tax rate as in the past.

Selectman McCall made a motion to establish a single tax rate of $14.05 subject to the approval of the Department of Revenue. Motion seconded and approved unanimously.

LIP Project, Glen Avenue: Presentation by Chelmsford Capital Group and Chelmsford Housing Authority

Donald Van Dyne, Jr. came before the Board to present the plan for a development on Glen and seek approval for a partnership with the Chelmsford Housing Authority. The development on Glen Avenue would consist of 32 units. Eight would have deed restrictions and classified as affordable housing. The remaining 24 would be market rate. Each unit will be three stories with varying architectural styles and a garage. The units listed as affordable will be listed at approximately $140,000 and the others will be between $240,000 to $260,000. Twenty-four of the 32 will be targeted towards town employees. The developer will match $1,500 from the

Community Preservation Act for the eight affordable units, which will allow units to be considered affordable and counted towards Chelmsford's total number of affordable units. The development group and the Housing Authority are requesting the Board recognize the partnership between the two. The Board discussed the issue further, noting that the Community Preservation Committee must vote to approve the project. Selectman McCall made a motion to continue the presentation to the next meeting scheduled for November 18th. Motion seconded and motion approved unanimously.
Selectman Dalton, on behalf of the Board, presented David Hedison, Executive Director of the Housing Authority, with an Award of Appreciation for all his hard work for the community. Mr. Hedison has had tremendous success in seeking innovative ways to develop affordable housing for the community. In the eight years Mr. Hedison has been director of the Housing Authority, he has received numerous awards including the James L. Campbell Award from Elder Services of the Merrimack Valley. Mr. Hedison accepted the Award of Appreciation, saying it was a pleasure to serve the community.

UNSCHEDULED BUSINESS

BOS Vote: Petition for Underground Conduit, Littleton Road

Selectman McCall made a motion to approve the placement of 105 feet of cable in underground conduit on Littleton Road as shown on Petition Plan #992 dated October 24th. Motion seconded and approved unanimously.

SELECTMEN REPORTS AND REFFERALS

- Selectman Moran urged all voters to get out and vote on Election Day. He went on to voice support of the school building project.
- Selectman Moran requested that the Stony Brook Dam be looked at. He would like consultant to look at it and determine when the dam should be open and when it should be closed. Mr. Lynch responded that there are set times when the dam is opened and closed. He would look into and report back.
- Selectman Moran suggested that the Master Plan should be looked at and revised if necessary. He recognized that it was something that was done every 10 years but thought that it might of benefit to start the process sooner. Mr. Lynch agreed that it should be kept a living document.
- Talk has the commuter rail going all the way to Manchester and Concord, NH reported Selectman Moran. The next step is to meet with Representative Meehan to see if his office can provide support for the project. Chelmsford will benefit greatly by having a train station in Town.
- Selectman Moran commended the DPW for their work on Graniteville Road.
- Selectman Weisfeldt reported the following were appointed to the Commission on Disabilities; Leonard Olenchak, Jr, Dick Johnson, Sandra Gardner-Momaney, David Singer and Terri McGovern. Ann Smith was appointed as an Associate Member. All terms run to June 30, 2004.
- Selectman Weisfeldt reported that the Livery Road project has been submitted to the DEP.
- Selectman Weisfeldt passed out cards listing the phone button codes used to engage the "Silent 911" system. This is a 911 system an individual could use if they were unable to speak.

- Selectman McCall reported receiving a number of calls in the positive concerning the Route 3 project. He also reported receiving a number referring to the lane change on Route 495 as a result of the Route 3 work. The zigzagging has been found to be abrupt and the callers have requested more signage alerting them to the road change. Selectman Eliopolous replied that he would bring up the safety concerns at the next PAC meeting. The new section should be open Thanksgiving weekend.
- Selectman McCall encouraged voters to support the school building project.
- Selectman Eliopolous reported that the sound barrier study is nearing completion.
- Selectman Eliopolous suggested the Board send a letter of congratulations to the newly elected governor and representatives.
- Selectman Dalton reported having attended the ground breaking for the Kensington at Chelmsford project on Littleton Road.
- Selectman Dalton requested a report on the Middlesex Street sidewalks.

NEXT REGULAR MEETING

The Board voted by roll to go into executive session for the purpose of a legislative update and collective bargaining. The next meeting is scheduled for Monday, November 18, 2002 at 7:00 p.m. There being no further business the Board voted by roll to adjourn at 9:30 p.m.

Respectfully submitted,

Donna McIntosh

JOINT MEETING
BOARD OF SELECTMEN, FINANCE COMMITTEE, SCHOOL COMMITTEE, NASHOBA VALLEY REGIONAL TECHNICAL SCHOOL COMMITTEE

November 13, 2002

MEETING: A joint meeting was held on Wednesday, November 13, 2002 at 7:30 p.m. at the Library.

PRESENT: *Board of Selectmen*: B. Dalton, P. Eliopoulos, M. McCall, T. Moran, S. Weisfeldt

Finance Committee: S. Chase, M. Frantz, D. Hayward, J. Kurland, K. Porter, J. Thibault , D. Turocy

School Committee: R. Cruickshank, R. Moser, S. Pichette, C. Perkins, A. Taranto, J. Trager, E. Thoren

Nashoba Valley Regional Technical School: J. Klimkewicz, R. Hulslander, R. Joyce

Not present: S. Poulten, P. Bagni

Also present Bernard Lynch, Town Manager; John Coderre, Assistant Town Manager and members of the public.

Meeting called to order at 7:30 PM.

Nashoba Valley Technical School Update

Expansion and Renovation: Superintendent Klimkewicz reported the school renovation is underway. Ground broke in June with an expected completion date of December 2004. Ten million dollars was borrowed to fund the project at an interest rate of 2.5%.

MCAS Preparation: In response to a question regarding MCAS scores, Supt. Klimkewicz responded that she was initially disappointed. Following the institution of the reading model where 80 percent of the student's time is spend on academics, instituting an afterschool program, and three PSAT preps, scores have improved. Sixty-eight percent of the students are passing, up from 48 percent the previous year.

Update: B. Joyce said state funding is being cut for the highly successful dual enrollment program. Students take courses at either Umass Lowell or Middlesex Community College while pursuing their high school diplomas through NVTS. Private funding is being sought to continue the program.

Chelmsford Enrollment: The number of Chelmsford students enrolled at NVTS to date is as follows:

9th Grade	-	32
10th Grade	-	23
11th Grade	-	22
12th Grade	-	20
Total		97

NVTS graduated 25 Chelmsford students in 2001. There is an aggressive enrollment program in place at the middle schools. Some new marketing features include a web site, television spots and printed collateral. Selectman Weisfeldt suggested finding and using a very successful commercial that was run a few years ago.

Community Service: The students are undertaking a number of community service projects including a gazebo at the Senior Center, painting the building interior and a constructing a cabin at Camp Paul. The Town Manager requested Supt. Klimkewicz look into a previous request to construct a storage shed at the cemetery. She asked a member of her staff to follow up.

Recruiting: Members of the Board of Selectmen posed questions regarding recruitment. B. Joyce said they were actively recruiting. A member of the Board of Selectmen commented on the decrease in enrollment. B. Joyce stated that NVTS is challenged by not having an anchor city to draw students from. Supt. Klimkewicz spoke of the need to reach the "neglected middle". R.Moser said his counselors active in identifying students that would benefit from the education provided by NTVS.

FY 2004

Mr. Lynch reported on current budget figures. Revenue consists of local tax and state aid. Local tax receipts are up by $2.1 million. State aid is down. Ten percent has been cut from Chapter 70 money. School transportation is down. Miscellaneous receipts are down slightly. A planned use of $1.9 million will be taken. All in all revenue is at $83 million which is down from last year's projection.

Expenditures include $900,000 for the Nashoba Valley building project. A discussion ensued regarding the reimbursement rate for the project. The Middlesex Retirement System assessed $1.2 million to cover the pension fund. The figure was then recalculated to $600,000. The Boards discussed the Middlesex Retirement System. Health insurance remains a major issue. Costs have risen 18 percent. The figure is $1.6 million over the FY03 projections. Debt service is up. The bottom line is a projected $1.2 million shortfall due to a decrease in revenue and an increase in certain fixed costs and an assumption of level funded budgets.

The possibility of future State aid cuts are the biggest concern. The State budget has $1 billion deficit. The Town Manager discussed the planned use of the stabilization fund to cover certain aspects of the deficit. The Finance Committee questioned whether use of the Stabilization Fund would affect the bond rating. The Town Manager responded that given the financial climate many communities would be using their reserves in such a way. Planned use is the key, however, a loss in the rating remains a possibility given economic conditons.

School Department

R. Moser stated the School department budget carried over $350,000 from the previous year. There remains no good news.

B. Lynch said there should be another meeting in January or February.

There being no further business the meeting adjourned at 9:30 pm.

Respectfully submitted,

Donna M. McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

November 18, 2002

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Holiday Lighting & Prelude Announcement - Linda Harrington

Open Session

Town Manager Reports

Town Manager Appointments
- 350th Committee
- Board of Appeals

Town Manager Bids/Contract Awards
- New Police Facility Furnishings
- DPW Truck

Scheduled Business

7:30 p.m. Application for Common Victualer License: Nonna Cardone's Cucina
61 Central Square

7:35 p.m. Mass. Electric Company Petition: Installation of Poles & Aerial Crossings
at Drum Hill Road and North Road

7:40 p.m. LIP Project, Glen Avenue: Continuation of Presentation by Chelmsford
Capital Group and Chelmsford Housing Authority

7:55 p.m. Application for Automatic Amusement: Skip's Restaurant

8:00 p.m. Joint Meeting with School Committee

Unscheduled Business
- Roadside Vendor Application: Christmas Trees, Chelms. Little League

Selectmen Reports/Referrals

Press Questions

Executive Session
(Collective Bargaining, Litigation)

Next Meeting: December 2, 2002

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
NOVEMBER 18, 2002

A regular meeting of the Board of Selectmen was held on November 18, 2002 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

PUBLIC SERVICE ANNOUNCEMENTS

Holiday Lighting and Prelude

Linda Harrington, Holiday Decorating Committee came before the board to announce the Holiday Prelude. The festivities are scheduled for Sunday, December 1 from 4-6 p.m. at the Town Common. Entertainment includes a variety of singing groups, hayrides, face painting and coloring contest. Harrington Wine and Liquor is sponsoring a hot dog and refreshment table. Jacks Diner and the Art Society are featuring chowders. Santa will be making an appearance and posing for pictures with the kids. The tree lighting ceremony is at 5pm.

OPEN SESSION

Glen Avenue Variance

Melfarreh Al-Harbi, 5 B Street, came before the Board to request consideration for a variance. He would like to add an addition to his home. Rezoning was granted but a variance was denied twice on the grounds that the addition would be "detrimental to the neighborhood". There was no objection from any of the neighbors that he was aware of. He further pointed out that a development was being proposed on Glen Avenue which would certainly change the character of the neighborhood more than his addition.
The Board pointed out that it was not in their purview to address such a request. Mr. Al-Harbi would need to take the matter before the Board of Appeals. He was encouraged to attend the Planning Board meetings, particularly when the Board was taking up the Glen Avenue project. The Town Manager offered Mr. Al-Harbi technical assistance in addressing the matter with the Board of Appeals.

Ballot Question #4

Kelly Beatty, 14 Dunstan Road announced that a poll would be conducted by the Lowell Sun and Chelmsford Telemedia to address the vote on Question 4. The poll would be published in an upcoming addition of the Sun.
Dick Tibbits, 20 Biscayne Drive requested the Board not support the School Committee's request for reconsideration of Question #4. He opposed reconsideration on philosophical grounds. In his opinion, the people understood what they were voting on and did, and to bring it up again goes against the will of the people.
Alan Cote, 12 Doral Drive presented a spreadsheet representing the ballot questions and the number of blank ballots per precinct. Question 4 received no more blank ballots than any other question on the ballot. The information was compiled to respond to the

criticism that the vote on Question 4 was skewed due to the number of blank ballots. The information came from the Director of the Election Division at the Secretary of the States Office. Mr. Cote encouraged the Board not to reconsider Question #4.
Carol Kelly-Suleski, 12 Warwick Drive, came before the Board in support of the reconsideration of the debt exemption question. An unscientific study found that 25% of those surveyed didn't understand the question. In addition there was confusion regarding the SBA cutting the reimbursement rate by 10%. The cuts would not affect any project submitted by the June deadline.
Kevin Porter, 40 Abbott Lane, asked the Board and specifically Selectmen Moran and Dalton to report on what they'd been hearing from the public on the issue and how they were responding. Selectman Dalton reported that many of the people he spoke with felt they couldn't afford the project. Selectman Moran said many, even of those that supported the project, opposed reconsideration. He went on to say there was a 74 percent turnout. Selectman McCall said that many people he spoke with were concerned about the cost and the economy and possibility of tax increases for other reasons. At the same time, many would support an alternative, less costly project.

SCHEDULED BUSINESS

Application for a Common Victualer License: Nonna Cardone's Cucina, 61 Central St.

Linda and Robert Taylor, 29 Chadwick Circle, Nashua, NH came before the Board to request approval for an application for a Common Victualer license for their establishment, Nonna Cardone's Cucina, 61 Central Square. The business is to be an Italian specialty market.
Selectman McCall made a motion to approve a Common Victualer License for Nonna Cardone's Cucina, 61 Central St. for the hours of operation Monday-Saturday 9 am – 6 pm and Sunday 9 am-2 pm. Selectman Moran seconded, application approved unanimously.

Mass. Electric Company Petition: Installation of Poles & Aerial Crossings at Drum Hill Road and North Road

A representative of Mass Electric came before the Board to request the installation of poles and aerial crossing at the Drum Hill Road and North Road for the widening of Route 3.
Selectman McCall made a motion to approve the pole petition plan No. D-801, dated 10/22/2002 for the removal and installation of utility poles and aerial crossings at Drum Hill Road and North Road. Motion seconded and approved unanimously.

LIP Project, Glen Avenue: Continuation of Presentation by Chelmsford Capital Group and Chelmsford Housing Authority

Donald Van Dyne came before the Board requesting approval for a partnership between the Chelmsford Capital Group and the Chelmsford Housing Authority. Mr. Van Dyne said that a Board vote was needed to move the project forward to the Planning Board process.

Selectman McCall made a motion to recommend the partnership and designate the Glen Avenue proposal a LIP between the Chelmsford Capital Group, Chelmsford Housing Authority and the Town of Chelmsford. Selectman Moran seconded and motion approved unanimously.

Application for Automatic Amusement: Skip's Restaurant

Selectman McCall made a motion to table an application for Automatic Amusement for Skip's Restaurant as a representative of the establishment was not in attendance. Selectman Moran seconded, motion to table approved unanimously.

UNSCHEDULED BUSINESS

Roadside Vendor Application: Christmas Trees, Chelmsford Little League

Selectman McCall made a motion to approve a Roadside Vendor Application in Robert Vecchione's name at the Route 110 Chelmsford Little League Field for the sale of Christmas trees from the dates of Nov.20 – Dec. 24 from 8 am – 9pm. Motion seconded, license approved unanimously.

TOWN MANAGER APPOINTMENTS

Board of Appeals

Selectman McCall made a motion to accept and approve the Town Manager appointment of Ronald Pare, 5 Brick Kiln Road, to the Board of Appeals for a three-year term expiring on June 30, 2005. Motion seconded, appointment approved unanimously.

TOWN MANAGER BIDS/CONTRACT AWARDS

New Police Facility Furnishings

Selectman McCall moved that the Board award the contract for the Police Facility furnishings in an amount totaling $170,061.29 to the low bidders as follows:

Fuller Office Furniture	Files, Laminate tables, Laminate desks, Laminate tops for files, wood case goods, High Density Shelving	$70,289.42
Creative Office Pavilion	Upholstered seating	$28,200.20
Office Resources	Workstations	$30,784.05
Robert Lord	Training room furniture	$31,040.00
PSI/Musano	Industrial Shelving	$ 7,590.35
Norix Group	Correctional table	$ 657.27
Town Bid/Advertising costs (approx)		$ 1,500.00
Grand total:		**$170,061.29**

Selectman Moran seconded, award approved unanimously.

DPW Truck

The Town Manager said the DPW Public Buildings truck was totaled in an accident over the summer. Through the insurance money ($11,000+/-) and sewer equipment money ($14,000) a new truck will be purchased that is better suited to the sewer mechanics'use. Jim Pearson recommended the award go to low bidder, Stoneham Ford, for the amount of $24,628.
Selectman McCall moved the Board accept and award the bid contract for a new DPW truck to go to Stoneham Ford in the amount of $24,628. Motion seconded and awarded unanimously.

JOINT MEETING WITH SCHOOL COMMITTEE

Selectman Dalton welcomed members of the School Committee. Evelyn Thoren came before the Board to address the matter of the school building question. Ms. Thoren said the question was defeated by a narrow margin on November 5th. She thanked the Board of Selectmen and the Finance Committee for their support and went on to thank Save Our Schools for their hard work in publicizing the initiative. She went on to say that the responsibility of the School Committee is to define the education specifications and space requirements. The question on the ballot met the needs of the Town and was the most cost effective. The project will never get cheaper but in order for the project to be completed they must move forward together. She asked Superintendent Moser to come forward and present an alternative plan for the high school.
Superintendent Moser presented plans A and B. Plan A puts the original question back before the voters. Plan B is a longitudinal plan to meet the space and building needs of the high school. The plan reduces the scope of the high school renovation and addresses the space problem with a combination of temporary classrooms and the relocation of the central offices. The number of classrooms would be reduced by seven. The plan does not include a new auditorium. The cost of a plan to address the maintenance needs of the high school through the capital budget would cost $15,740,000 and would only be a temporary measure. Dr. Moser said that this was not a plan they'd like to implement.
Dr. Moser also further addressed the question of split school sessions. Split sessions won't work for a variety of reasons, including the increased cost of hiring additional faculty and support.
Ms. Thoren requested the Board vote to put the debt exemption question back on the ballot for reconsideration. She further asked that the board discuss the reasoning behind their decision to either support reconsideration or not. If the Board votes against reconsideration, the School Committee would go back and discuss alternatives.
Selectman Eliopoulos asked what those alternates would be and whether the middle school project would be one of them. Ms. Thoren requested the School Committee be given the same opportunity to discuss possible alternatives with the SSBC and the architects as the Board had the previous Thursday. Selectman Moran requested clarification on the request. He asked for confirmation from Ms. Thoren that the question was whether the Board would be asked to support reconsideration of the debt exemption question. If no support were given the School Committee would meet with the SSBC and discuss alternative plans and bring it back before the Board at a later meeting. Selectman Dalton stated that he would not support reconsideration despite having endorsed the

project because the voters had spoken. Ms. Thoren again reiterated the desire to be granted the opportunity to meet with the SSBC and OMR and fully discuss alternatives before supporting a new proposal. She stated that while the voters had voted down the question, the question could be put forward for reconsideration and similar votes had happened in other communities. Selectman Dalton asked Dean Carmeris what had happened with the time frame with the SBA. Mr. Carmeris explained that they were originally going into the SBA meeting with the understanding the matter would not be resolved. The SBA would be presented with the entire plan. The plan could then be scaled back. The plan could be scaled back but not upgraded. This time would not affect the timeframe with the SBA.

Selectman Weisfeldt made a motion to not support reconsideration for Ballot question #4 regarding a debt exemption for the school building project. Selectman Dalton seconded, motion passed unanimously.

The Board spoke strongly for the need to put forward a proposal that can garner the full support of the community. Some Board members expressed disappointment that the School Committee did not have an alternative project to present at that time. Ms. Thoren said that she would welcome a recommendation to bring back to the School Committee. Selectman Moran made a motion to recommend to the School Committee that they revise their request to include a middle schools-only project. Selectman Weisfeldt seconded the motion. The Board discussed the motion further. Selectman McCall said he would be open to the architects' recommendation on what could be done to the high school within a smaller scaled project so that SBA reimbursement could be taken advantage of. Motion supported unanimously.

Ms. Thoren stated that the School Committee would have its recommendation prepared for the next Board of Selectmen meeting on December 2, 2002. The Board agreed to take the matter up again at that time.

SELECTMEN REFERRALS

- Selectman Moran reported having received calls regarding the proposed crosswalk at Drum Hill. The Town Manager said he didn't have a current update, but agreed there continued to be a need in the area. Some engineering needed to be done by a certified traffic engineer. He would follow up on it and provide information to Selectman Moran.

- Selectman Moran encouraged the community to support Laughton's Nursery and their efforts to rebuild after the devastating fire by purchasing holiday greenery at the nursery. This led to a discussion of the fire and the fact that a firefighter turned the valve on the hydrant the wrong way. The firefighter was not a Chelmsford firefighter.

- Selectman Eliopoulos reported on the most recent Route 3 PAC meeting. The lane shift at 495 will be much better marked in the future. The lane shift would be in effect over the Thanksgiving weekend. The sound barrier study has reached the second phase. He hoped that sound barriers would be approved for all areas in the

restudy, however, if they are not, he hoped that the State and Modern Continental would be willing to find other relief measures, including berms and plantings.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, December 2, 2002 at 7:00 p.m. The board voted to go into executive session for the purpose of discussing collective bargaining and litigation, and noted that they would not be coming back into open session. There being no further business, the board voted by roll call vote (Dalton-Aye, Eliopolous-Aye, McCall-Aye, Moran-Aye, Weisfeldt-Aye) to adjourn the regular meeting at 9:30 p.m.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

December 2, 2002

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

Minutes of BOS Meetings
- Board of Selectmen: September 9, 2002

Open Session

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

Scheduled Business

7:30 p.m. Public Hearing: North Chelmsford Auto Parts, 10 Butterfield Street
Renewal of Class III Auto Dealer & Change in Manager

7:35 p.m. Application for Increase in Number of Vehicles: NTC Automotive
170 Middlessex Street

7:40 p.m. Application for Automatic Amusement: Skip's Restaurant
116 Chelmsford Street

8:00 p.m. Joint Meeting with School Committee

Unscheduled Business
- Annual License Renewals
- BOS Vote: Lynn Avenue Truck Exclusion
- BOS Vote: Traffic Rules and Regulations – Murdoch School

Selectmen Referrals

Press Questions

Executive Session

Next Meeting: December 16, 2002

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES

DECEMBER 2, 2002

A regular meeting of the Board of Selectmen was held on December 2, 2002 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen William Dalton, Philip Eliopoulos, Michael McCall and Thomas Moran. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

Dr. Weisfeldt arrived at 7:40 pm.

PUBLIC SERVICE ANNOUNCEMENTS

Rededication

Mr. Lynch announced the rededication of the Corporal Quessy stone and tree at the corner of Main Street and School Street at Noon on Wednesday, December 4.

OPEN SESSION

School Building Project

Kathy Duffett, 47 Thomas Dr, thanked the BOS, SSBC, and School Committee for their support for the initial project. In her opinion the Project on the November 5 ballot was the best option but the voters did vote it down by a slim 456-vote margin. Seven hundred voters had no opinion. This was not a mandate in her view. She asked the Board to take the time to hear the School Committee. She went on to say that it was not a scare tactic to say that the high school was in danger of losing its accreditation. The high school had been evaluated and found that it needed improvements to the physical plant. She urged the Board to make the right choice now to maximize the SBA reimbursement.

Mary Gregoire, 4 Byam Road, passed around a handout entitled "What We Know, What We Don't Know". The handout detailed a $6 difference per month for the average $250,000 home between the $86 million project and the cost of the middle schools alone. The costs to upgrade the high school could cost up to $15 million over seven years. Much, if not all of that cost would go without reimbursement.

Mary Tiano, 1 Spruce St., spoke in favor of the school project.

George Merrill, 108 Dunstable Rd., Precinct 2, requested the public not be fooled into thinking that the project had been scaled back. The project had just been divided into two parts. He maintained the project was the same and urged the board not to approve it.

Tom Mills, 21 Wagontrail Rd. presented an alternate plan, which would build a new high school, renovate the Parker as an elementary and use the old high school as the middle school. This would be more cost effective and eliminate the cost of phasing.

Suzanne Ward, 6 Galloway Road, expressed great concern over the quality of the future education of her three small children. She wished to draw attention to a number of factors related to the vote. There was a scant four weeks to address the costs by the SSBC and SOS. A poll conducted by SOS right before the vote found that 25% knew little or nothing about the project. The public also knew little of the alternative costs of

not doing the project. She felt there was a moral and fiscal obligation to do the best thing for the Town. To do nothing was not an option. She also cited figures that suggested that a piecemeal approach would ultimately cost more that a succinct, comprehensive project. She urged the Board and School Committee work together and put find the most fiscally effective and needs-based solution.

Christina Walsh, 17 Old Farm Way, stated the original building needs committee came up with a figure of $103 million. This was deemed too high so a new committee was appointed. The SSBC worked hard and came up with the most cost effective plans. He urged the Board to support the $86 million plan.

Nicholas Giovino, Westford St., spoke against the $86 million project concerned about SBAB reimbursement.

Art Carmen spoke in favor of the project. He said the cost to wait five years when you take into consideration inflation, increased interest rates, and loss of SBA reimbursement would be roughly $20 million dollars. In two years it would be $8 million. He encouraged the Board to take the time to make the right decision for the community.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETINGS

Board of Selectman: September 9, 2002

Selectman McCall made a motion to approve the minutes from the regular meeting of September 9, 2002. The motion was tabled due to a lack of quorum. (Selectmen Dalton and Moran abstained and Selectman Weisfeldt had yet to arrive.)

TOWN MANAGER REPORTS

Chapter 40B

Town Counsel has drafted a rewrite of Chapter 40B which encompasses all the recommended changes. The draft has been passed on to Senator Fargo and the four Representatives in the hope that they will support and cosponsor the legislation.

Middlesex Retirement System

Chelmsford hosted a meeting of several communities regarding the increased assessments. A retirement board representative was present to explain the reasons for the increase and provided audit reports of the past several years. The meeting was a positive one. The 45 percent increase has been knocked back to 22 percent. As a group the municipalities are looking for modifications in the way the funds are managed. Regular meetings are scheduled.

Drum Hill Crosswalk

The crosswalk engineering has been received by Jim Pearson, Town Engineer. Work is expected to begin Spring 2003.

SCHEDULED BUSINESS

Public Hearing: North Chelmsford Auto Parts, 10 Butterfield Street Renewal of Class III Auto Dealer

Phillip D'Angelo came before the board seeking renewal of a Class III Auto Dealer License for North Chelmsford Auto Parts.
Selectman McCall made a motion to approve the renewal of a Class III Auto Dealer license for North Chelmsford Auto Parts, 10 Butterfield Street. Motion seconded and license renewed unanimously.

Application for Increase in Number of Vehicles: NTC Automotive, 170 Middlesex St.

Neal T. Coffin, came before the Board to request in the number of vehicles allowed on his car lot at 170 Middlesex St. He has purchased the lot allowing for more space. The Building Inspector has approved the plan conditional upon the installation of concrete or asphalt curb stops. Mr. Coffin agreed to install the curbing by the April 15th deadline. Selectman McCall made a motion to approve an increase in the number of vehicles from 6 to 35 subject to the installation of asphalt curbing by April 15th and conditional up the other parameters of the existing license. Motion seconded and approved unanimously.

Application for Automatic Amusements: Skip's Restaurant, 116 Chelmsford St.

A representative from Skip's Restaurant was not present for the hearing so the matter was tabled to the following meeting.

Joint Meeting with School Committee

The Board of Selectmen welcomed Evelyn Thoren, Sheila Pichette, James Trager, Angelo Taranto, Cheryl Perkins, Supt. Moser and Bob Cruickshank to the joint meeting. E. Thoren began the discussion by thanking the Board for the opportunity to meet with the SSBC and come before them with an alternative to the $112 million project. The School Committee voted 3 –2 in favor of the $86 million plan to renovate and add an addition to the high school and construct a new McCarthy School. The immediate need for space at the Parker School would be addressed with portable classrooms.

A. Taranto urged the Board to do what is educationally and fiscally sound. The high school has urgent needs and the McCarthy School needs to be rebuilt. It makes fiscal sense to do it through a reimbursable plan.

C. Perkins elaborated on the words of E. Thoren. The high school and the McCarthy need to be put back on the plan. Temporary classrooms can address the immediate space needs. If the Parker were brought back at a later date it would fit in with a phasing plan. The needs of the schools have not been questioned. The SSBC is clear that the plan not be cut. They believe that the plan is the right plan as did 6,918 voters. There has been no mandate to cut the plan in half. The voters should have the opportunity to enter into a dialogue on why it is better to do more now than wait. Short-term and long-term borrowing rates are favorable, and it is a known fact that the rate of reimbursement will be cut by 10%. She went on to say that since none of them had a crystal ball to determine what the voters will do, it is time to start talking and thinking about the need and not the number.

J. Trager echoed the comments of the other members and urged the Board to consider the fiscal responsibility of getting the most project for the highest reimbursement. The SSBC is made up of a team of experts in the field and their recommendation is to not cut the plan. The needs of the Parker School can be addressed in the short run through the portable classrooms. The needs of the high school and McCarthy cannot be handled so easily.

Selectman Dalton inquired as to how many portable classrooms would be needed to accommodate the space needs. Dr. Moser answered that six were needed at a cost of approximately $1 million. He went on to say that the capital plan would need to be looked at to address the portables. If the portables are reimbursable they could possibly be folded into the project costs.

Selectman Eliopolous stated that the Board has a difficult decision to make, perhaps the most difficult since he's been on the Board. As a Board, the initial project had their full support. In democratic fashion the community voted and found the price tag too high. The project has been scaled back by $28 million. It is time to let the voters decide. If this scaled back project doesn't meet approval it may be time to go back to the drawing board.

Selectman McCall echoed these thoughts. He went on to say that he had had 300-400 calls that turned on every argument. The SSBC was appointed with the qualifications to recommend a project. It is up to the voters to decide if it is the right project. He agreed that it must be put back before the voters.

Selectman Weisfeldt said that the schools need the project. He questioned the need for two auditoriums but felt that on the whole it addressed the needs well. He too agreed that it was a question for the voters.

Selectman Moran said that the community has spoken loudly that the same project not be put back on the ballot. It has been reduced and needs to go before the voters.

Selectman Dalton stated that his position would be no. The voters spoke on November 5th not to support the project and he has a responsibility to uphold that vote.

Selectman McCall moved, and Selectman Moran seconded, to support the School Committee's recommendation of the $86 million school building project. Motion approved. (SW-aye, PE-aye, MM-aye, TM-aye, BD-no).

Special Town Meeting

The Board and Town Manager discussed the timing of a Special Town Meeting to vote on the school project and possible dates of a special election if the Special Town Meeting vote is favorable. The Board recommended the vote be held as far into the spring as possible to maximize the voting numbers.
The Special Town Meeting was set for January 16th. A two-thirds majority is needed to take the question to the voters.
Selectman McCall made a motion to call a Special Town Meeting for January 16, 2003 to see if the $86 million school project should be put before the voters. Motion seconded and approved unanimously.

UNSCHEDULED BUSINESS

Annual License Renewals

Selectman McCall made a motion to approve the following **Lodging House License** for 2003:

Leo Forcier, 146 Tyngsboro Road

Motion seconded, license approved unanimously.

Selectman McCall made a motion to approve the following **Automatic Amusement License** for 2003:

DePalma Lanes

Motion seconded, license approved unanimously.

Selectman McCall made a motion to approve the following **All Alcohol Club Licenses** for 2003:

The American Legion

Chelmsford Lodge of Elks, Lodge 2310

Motion seconded, licenses approved unanimously.

Selectman McCall made a motion to approve the following **All Alcohol Innholders Licenses** for 2003:

Chelmsford Hotel Company

PKS Realty, Inc. d/b/a Best Western

Motion seconded, licenses approved unanimously.

Selectman McCall made a motion to approve the following **Beer & Wine Restaurant** Licenses for 2003:

Amici's Trattoria

Chelmsford House of Pizza & Seafood

Evzon

Jimmy's Pizza, Subs and Seafood

Kastore Restaurant

Papa Gino's

The Dino Dog d/b/a Jack's Diner **-Contingent upon the payment of outstanding Personal Property taxes ($68.95)**

Cleopasta, Inc.**-Contingent upon the payment of outstanding Personal Property taxes ($34.33)**

Khoo & Ng Corp.

Seafood Connections Restaurant – **Contingent upon payment of outstanding Personal Property taxes ($82.24 plus interest).**

Motion seconded, licenses approved unanimously.

Selectman McCall made a motion not to renew the following **All Alcohol Restaurant** License for 2003:

The Banqueteer **–License not turned in….ABCC renewal form not returned.**

Motion seconded, unanimously voted not to renew license.

Selectman McCall made a motion to approve the following **All Alcohol Restaurant** Licenses for 2003:

A.U.C., Inc. (Sombreros)

Bainbridge's – **Contingent upon payment of outstanding Personal Property taxes ($160.80)**

Bertucci's Restaurant Corp.

Chelmsford Country Club

Ciro's, Inc. **Contingent upon the filing and approval of a new manager. No certification of Alcoholic Beverage Server Training Program on premises. No written Policy and Procedures for Employee Responsibilities. Contingent upon the payment of Real Estate and Personal Property taxes ($28,906.29).**

Country Club Too, Inc.

Garlic and Pepper Bistro

Glenview Lounge and Pub

The Ground Round

Hong & Kong Restaurant

Jimmy's Restaurant IV

Panda Wok, Inc.

Skip's Restaurant

Szechaun Chef Restaurant

Vincenzo's Restaurant

Motion seconded, licenses approved unanimously.

Selectman McCall made a motion to approve the following **All Alcohol Package Store** Licenses for 2003:

DJVP Ram Corp.

Drum Hill Liquor Mart

Harrington Wine & Liquors

M.W.N. Inc. – **Contingent upon re-certification for the sale of alcohol no later than March 31st. 2003. Contingent upon payment of outstanding personal property taxes ($5.20)**

The Wine Rack

Vrouhas, Inc. – **Contingent upon BOS approval of a new manager**

Westlands Package Store

Motion seconded, licenses approved unanimously.

Selectman McCall made a motion to approve the following **Beer & Wine Package Store** License for 2003:

Ted's Market – **Contingent upon the payment plan with the Finance Director**

Motion seconded, license approved unanimously.

Selectman McCall made a motion to approve the following **Auto Dealers Licenses** for 2003:

Class I Auto Dealers

Route 3A Motors – **Contingent upon all vehicles be set back from the front corners of the property line a minimum of 20 feet.**

Class II Auto Dealers

A+ Auto Body

Bodyworks Autobody

Bosco Automotive Services

Chadwick-BaRoss, Inc.

Chelmsford Auto Sales

Duffy's Auto Co., Inc

Ferreira Wrecker Sales – **Contingent upon payment of outstanding Personal Property taxes ($3,224.86)**

J.M. Auto Sales of Chelmsford, Inc.

J.P. Rivard Trailer Sales, Inc.

Jim Gervais Sales, Inc. – **Contingent upon the installation of concrete or asphalt curb stops no later than April 15, 2003.**

John's Auto Sales

Landry's Automotive

Matt Nicolopoulos

McGovern Automotive - **contingent upon the installation of concrete or asphalt curb stops no later than April 15, 2003**

Merrimack Auto Sales

Morton Jaguar Service, Inc.

N.T.C. Automotive – **contingent upon the installation of concrete or asphalt curb stops no later than April 15, 2003.**

Northeast Transmission Company

R & P Automotive (117 Princeton Street)

R & P Automotive (Oak Street)

Silva's Garage and Auto Sales – **Contingent upon the installation of concrete or asphalt curb stops no later than April 15, 2003.**

Stony Brook Auto Body - **Contingent upon the installation of concrete or asphalt curb stops no later than April 15, 2003.**

Tony's Used Cars

Winner's Circle Auto Sales, Inc. - **Contingent upon the installation of concrete or asphalt curb stops no later than April 15, 2003 and contingent upon the payment of outstanding Personal Property taxes ($33.71)**

Class III Auto Dealers

North Chelmsford Auto Parts

Motion seconded, licenses approved unanimously.

Selectman McCall made a motion to approve the following - **Common Victualer** Licenses for 2003:

A&A Convenience Store

A+ Mini Market

Adams Corner Variety - **Contingent upon payment of outstanding Personal Property taxes ($146.01 plus interest).**

Antonio's Pizza

Bianco & Sons Catering

Bickford Family Restaurant - **Contingent upon payment of outstanding Personal Property taxes ($32.01)**

Boston Market Corp. – **Contingent upon payment of outstanding Personal Property taxes ($182.78)**

Brickhouse Pizza

Brothers Gourmet Pizzeria

Burger King Restaurant

Carvel Ice Cream Store

Carven Catering Services

Celtic Restaurant & Pub

Chelmsford Center Deli

Common Cup Café - **Contingent upon payment of outstanding Personal Property taxes ($21.53 plus interest).**

Country Club USA

D'Angelo's Sandwich Shop

Domino's Pizza

Dunkin Donuts – Drum Hill Road

Dunkin Donuts – Chelmsford Street

Einstein Brothers Bagels – **Contingent upon payment of outstanding Personal Property taxes ($3,490.20)**

Elliott's Hot Dogs – **Contingent upon payment of outstanding Personal Property taxes ($80.93)**

Energy North Stores

Family Pizza

Fresh Chow Restaurant

Friendly Ice Cream Corp.

Gary's Ice Cream

Kate's Corner

Kell's Cafe

Market Basket

+McDonald's Restaurant

Mr. Convenience

Nonna Cardone's Cucina

Sal's Pizza

Shell Food Mart

Starbucks Coffee Company

Stop & Shop Supermarket

Sully's Ice Cream

Tai Shiang Garden – **Contingent upon payment of outstanding Personal Property taxes ($19.30)**

The Elegant Farmer – **Contingent upon payment of outstanding Personal Property taxes ($10.46)**

The Pizza Place **- Contingent upon payment of outstanding Personal Property taxes ($9.95)**

The Americana Café

Tia's Buffet

Timbo's

Togo's

Tony and Ann's Pizza

Village Square Convenience Store

Wal-Mart Stores, Inc.

Zesty Pizza

Motion seconded, licenses approved unanimously.

BOS Vote: Lynn Avenue Truck Exclusion

Selectman McCall made a motion to approve a truck exclusion for Lynn Avenue for the hours of 6 am – 6 pm. Motion seconded and approved unanimously.

BOS Vote: Traffic Rules and Regulations – Murdoch School

Selectman McCall made a motion to apply the Chapter 203-10 rules and regulations making the Murdoch School area a school zone. Motion seconded and approved unanimously.

SELECTMEN REPORTS AND REFFERALS

- Selectman Eliopolous reported there will be road closures around Route 129. Signage will be up. Mr. Lynch said that when the dates of closures are submitted he will get it up on cable.
- The Congregation Shalom on Richardson Road is wondering if they are on the list for sound barriers said Selectman Eliopolous. Mr. Lynch said that any sound barriers for Lamplighter Green area would also protect the Synagogue.
- Selectman Moran commented that the lines in some places on Route 3 are either not well defined or left over from a previous lane change. The situation is especially dangerous at night and in poor weather. He suggested the lines be repainted and the old lines be patched over. Selectman Eliopolous said he would bring it up at the next PAC meeting.
- Selectman Eliopoulos asked whether a budget would be presented to the Finance Committee the following week. Mr. Lynch responded that it was much too early at this point. Selectman Eliopolous suggested that the Board have a dialogue with the Town Manager concerning the impact of a level funded budget on departments. The Town Manager said the departments were doing a good job at keeping their expectations realistic. The six-month figures would be out in early January.
- Selectman Weisfeldt congratulated the High School football team on being the Middlesex Conference winner. He went on to wish them well in the Super Bowl.
- Selectman Moran commented that he and Selectman Dalton attended the Greater Lowell Chamber of Commerce Breakfast. Matt Amorello, formerly of Mass Highway, spoke at the event.
- Selectman Moran wished the football team well in the Super Bowl.
- Selectman Dalton attended an Eagle Scout award ceremony. Eagle Scout Troop 74 has had tremendous success. Chelmsford has the most Eagle Scouts in the state.
- Selectman Weisfeldt provided the press with information detailing the Board's legal right to put items on the ballot for Town Meeting approval.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, December 16, 2002 at 7:00 p.m. There being no further business the board voted by roll to adjourn at 9:30 p.m.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

December 16, 2002

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

Minutes of BOS Meetings
- Board of Selectmen: September 9, 2002
  September 23, 2002
  October 7, 2002

Open Session

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

Scheduled Business

7:25 p.m. Application for Transfer of Common Victualer License: Village Convenience Store

7:30 p.m. Public Hearing: Verizon Petition to Remove & Place Poles on Proctor Road

7:35 p.m. Application for Automatic Amusement: Skip's Restaurant

7:40 p.m. Application for Change in Manager: Chelmsford Lodge of Elks

7:45 p.m. Disciplinary Hearing: Alambique Lounge

8:15 p.m. Disciplinary Hearing: Ciro's Restaurant

Unscheduled Business
- BOS Vote: Special Town Meeting Warrant

Selectmen Referrals

Press Questions

Executive Session

Next Meeting: To Be Announced

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES

DECEMBER 16, 2002

A regular meeting of the Board of Selectmen was held on December 16, 2002 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen William Dalton, Philip Eliopoulos, Michael McCall, Thomas Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

APPROVAL OF MINUTES

Board of Selectmen: September 9, 2002, September 23, 2002, October 7, 2002

Selectman McCall moved the Board approve minutes from the September 9, 2002 regular meeting. Selectman Moran seconded, minutes approved with one abstention. (PE abstained).
Selectman McCall moved the Board approve minutes from the September 23 and October 7, 2002 meeting. Selectman Moran seconded, minutes approved unanimously.

OPEN SESSION

A resident on Carter Road came before the Board on behalf of 90 members of the Rivermeadow Brook Community Association. She wished to bring to the Board's attention the handling of the Princeton at Rivermeadow Development by the ZBA. Inconsistencies have been found between the treatment of the Windemere project and the Rivermeadow development. She requested that the Board and Town Manager be aware of the situation on behalf of the Town. Selectman Dalton pointed out that there was little the Board could do as far as oversight in regard to the ZBA once the members were appointed. It is in fact a quasi-judicial committee. Her husband requested a summary of anything that transpires in this regard. The Town Manager said he and the BOS were aware of the matter and would keep them updated on any actions.

School Building Project

Alan Cote, 12 Doral Drive passed around a handout from the Department of Education highlighting the progression of population in the schools. The statistics bear out that the population has in fact dropped over the years since 1981. He questioned the necessity of more space as a rationale for the school project. The Board members responded that educational specifications have changed over the years necessitating the need for class space and more lab space. Mr. Cote went on to suggest that the election questions provide the opportunity to have the project divided between the middle school project and the high school and went on to suggest that it be further broken down into line items. The Board explained that dollar amounts couldn't be put on the election question.

Arts and Technology Committee

Evelyn Thoren, 18 Pinewood Rd. announced that the School Committee would be holding a meeting on Tuesday at 7:30 pm. The public was welcome and encouraged to attend.

Ms. Thoren went on to say that she was present before the Board to talk about the Arts and Technology Fund. The fund has been in existence for seven years and has awarded approximately $50,000 in scholarships. Donations are collected anonymously and will be accepted for the first time this year via e-mail.

TOWN MANAGER REPORTS

FY 03 Budget

Mr. Lynch announced that this would be Assistant Town Manager John Coderre's last meeting. Mr. Coderre is leaving Chelmsford to assume the assistant town manager position in Northboro. He went on to express his appreciation for all John's hard work and involvement in so many important projects, including budget documents, SSBC, recycling, cable bylaws and the updated fee schedule.

The Town Manager reported that the budget process is ongoing. The Town is waiting to see what will happen with local aid. Projections on the state level continue to be grim. It looks as though the local aid payment may be delayed.

He and the Board will be attending the annual Mass. Municipal Association conference in January and will explore cost-cutting measures as well as seek ways to change regulations and certain laws to maximize revenue and aid.

Middlesex Retirement System

The Town Manager reported on a meeting with PERAC (Public Employee Retirement Commission) and the retirement board. The unfunded liability has been rolled back to $600,000 from $1.2 million. Legislation has been drafted with the Finance Director in Wilmington and the Town Managers from Tewksbury and Billerica seeking to provide a better balance of oversight. The legislation increases the Board from five members to seven members. Three members would come from the community, three employees and a seventh appointed by the board. There would also be an advisory commission. The Board and Town Manager continued to discuss the proposed legislation and the retirement system.
Selectman McCall moved to support the draft legislation to improve the Middlesex Retirement System. Motion seconded, motion supported unanimously.

SCHEDULED BUSINESS

Application for Transfer of Common Victualer License: Village Convenience Store

Jayshree Shiremi of Lowell came before the Board seeking a transfer of Common Victualer license for the Village Convenience Store. Mr. Lynch reported that the Mass. Lottery Commission has contacted the Town concerning Keno. The Lottery Commission has recommended the discontinuation of Keno in all convenience stores and will take input from towns seeking to limit such licenses. The issue will need to go before a hearing.
The Board did not support the transfer of the Keno license to new owner based upon the State's recommendation. The applicant said that given the nature of the business she would be unlikely to purchase the store without the Keno license, stating that the store is more a gambling store than a convenience store.

Selectman McCall moved to table the transfer of Common Victualer License to the next meeting subject to a public hearing on Keno at this location. Motion seconded and approved unanimously.

Public Hearing: Verizon Petition to Remove & Place Poles on Proctor Road

Kathy Frazier of Verizon came before the Board for approval to remove and replace a pole on Proctor Road. Paul Murphy, 71 Proctor Road, lives across the road and wondered what effect the pole placement would have on his property. Ms. Frasier said she was unaware of the need for any trees to be removed. She did agree that some branches would need to be cut. Selectman McCall made a motion to approve plan #993 dated (11-6-02) subject to the approval of the abutter after an inspection by an engineer scheduled for December 17, 2002. Motion seconded and plan approved unanimously.

Application for Automatic Amusement: Skip's Restaurant

George Burliss came before the Board seeking approval for an application for an automatic amusement license for Skip's Restaurant. Selectman McCall made a motion to approve the application for an automatic amusement license for Skip's Restaurant, motion seconded and license approved unanimously.

Application for Change in Manager: Chelmsford Lodge of Elks

Marie Harvey came before the Board seeking approval for an application for a Change in Manager for the Chelmsford Lodge of Elks. Selectman McCall made a motion to approve the transfer of a change in manager for the Chelmsford Lodge of Elks from Richard Fillebrown to Marie Harvey. Motion seconded, transfer approved unanimously.

Disciplinary Hearing: Alambique Lounge

Dan Wilkins, attorney for the Alambique Lounge, informed the Board prior to the meeting that he would be unable to attend, and requested a postponement of the scheduled disciplinary hearing. Mr. Lynch stated that the Board would hold the disciplinary hearing at the next meeting. Selectman McCall made a motion to approve the All-Alcohol license for Alambique Lounge with the provision that they come in for a disciplinary hearing. Motion seconded motion passed unanimously.

Disciplinary Hearing: Ciro's Restaurant

Attorney Peter Lawlor came before the Board on behalf of Ciro's Restaurant. Mr. Lynch said a disciplinary hearing was being held on the grounds of their failure to have a manager on record, and the real estate taxes still owed. Mr. Lawlor added that certain ABCC paperwork had not been filed. He went on to say that the building and restaurant were in the process of being purchased by Jerry Lucier of Dracut. This business would in no way be affiliated with Ciro's. Mr. Lawlor recommended that the Board keep the entity alive until the sale was finalized so there wouldn't be a gap in licensing. Ciro's would file the necessary paperwork with the ABBC. He hoped the Board would approve both the Common Victualers and All-Alcohol License. Mr. Lawlor suggested the sale might be in jeopardy if the licensing did not stay current. The Board felt that doing so would set a bad precedent.

Selectman McCall moved the Board continue the disciplinary hearing against Ciro's to the January 27 meeting. Motion seconded, disciplinary hearing continued to the next meeting.

Selectman McCall moved the Board renew only the Common Victualer license effective January 1, 2003 for Chelmsford Restaurant Inc. dba Ciro's Inc. Motion seconded, license approved unanimously.

UNSCHEDULED BUSINESS

BOS Vote: Special Town Meeting Warrant

The Town Manager explained there were two items on the Town Meeting Warrant, the school project and a special revenue account for the sewer commission. Selectman McCall made a motion to post the warrant for the special town meeting consisting of two articles, one pertaining to the school building project and one pertaining to a sewer project fund. Motion seconded and approved unanimously.

SELECTMEN REPORTS AND REFFERALS

- Selectman McCall made a motion to support writing a letter to Governor Romney supporting a proposed train station in North Chelmsford.
- Selectman Moran commented on the increased cable rates and suggested that a letter be sent to the attorney general requesting an investigation into the continuing rate increases which he believes are out of control. Selectman Eliopoulos thought it might be more effective to go to federal legislators. Selectman Moran countered that these were local cable companies. Selectman McCall made a motion to send letters to the two U.S. Senators, Congressman Meehan, and Attorney General Reilly concerning cable rates and the failure of deregulation. Motion seconded and approved unanimously.
- Selectman Dalton and the rest of Board echoed the Town Manager's comments regarding John Coderre.

NEXT REGULAR MEETING

The next meeting is scheduled for Thursday, January 16, 2003 at 6:00 p.m. The Board voted by roll to go into executive session for the purpose of discussing litigation. (Dalton-aye, Eliopolous-aye, McCall-aye, Moran-aye, Weisfeldt-aye) There being no further business the Board voted by roll to adjourn at 9:30 p.m.

Respectfully submitted,

Donna McIntosh

Board of Selectmen Meeting Minutes

January 2003 to December 2003

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

January 16, 2003

Location of Meeting: Senior Center

6:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s)

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

Scheduled Business

6:00 p.m. Keno Discussion

6:15 p.m. Disciplinary Hearing: Alambique Lounge, 100 Tyngsborough Road

7:00 p.m. Public Hearing: Application for Beer and Wine License
Double N Inc. d/b/a Sal's Pizza, 296 Chelmsford Street

Unscheduled Business

- Ciro's

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Meeting: Monday, January 27, 2003

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES

JANUARY 16, 2003

A regular meeting of the Board of Selectmen was held on January 16, 2003 at the Senior Center beginning at 6:00 p.m. Board members present were Selectmen William Dalton, Philip Eliopoulos, Michael McCall, Thomas Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager, and Atty. Richard Bowen of Kopelman & Paige.

TOWN MANAGER REPORTS

FY 03 Budget

The Town Manager reported that the Governor is proposing to cut local aid, possibly up to $200 million. The remaining question is how the cuts will be made and whether Chelmsford would bear a disproportionate share of the burden. Chelmsford's reduction in local aid could be as much as $800,00, which will present great difficulties as there isn't much room to cut without serious consequences.

SCHEDULED BUSINESS

Keno Discussion

The Board agreed to support a recommendation by the State Lottery Commission regarding Keno licenses in convenience stores. Accordingly, the Board will not approve any new Keno licenses, nor approve the transfer of existing licenses held by convenience stores, on the grounds that there are no age restrictions on the patrons of convenience stores that have Keno. Any interested members of the public were invited to come forward and speak to the matter. There were none.

Selectman McCall made a motion not to issue or transfer any Keno licenses where underage patrons are in attendance. Motion seconded and approved unanimously.

Disciplinary Hearing: Alambique Lounge, 100 Tyngsborough Road

Richard Bowen, Kopelman and Paige came before the Board to represent the Town's interests in the matter of a disciplinary hearing against the Alambique Lounge, 100 Tyngsborough Road. Mr. Bowen read the following into the record:

> On Saturday November 23, 2002 into Sunday November 24, 2002 the Chelmsford Police Department conducted an investigation of the Alambique Lounge at 100 Tyngsboro Road in Chelmsford. As a result of this investigation the Chelmsford Police made several arrests and provided a report which includes documentation of numerous violations include, but are not limited to, occupancy exceeding allowable limits, underage drinking, after hours consumption of alcohol, and serving patrons that are already intoxicated.

> Accordingly the Board of Selectmen as the licensing authority for the Town of Chelmsford will hold a disciplinary hearing. The purpose of this disciplinary hearing will be to hear evidence of potential violations of Massachusetts Statutes and Regulations and Bylaws of the Town of Chelmsford. The Board will consider the adjustment, non-renewal, suspension or revocation of the liquor license at 100 Tyngsboro Road.

Mr. Bowen said the hearing would consist of the presentation of the allegations taken from the police summaries. As the owner and her counsel have stipulated to the facts in these police reports these allegations would be taken into account as fact.

Dan Wilkins, the attorney representing Euriene Rodriguez and the Alambique, took the floor and thanked the Board for its patience in postponing the hearing. He went on to stipulate to the police report as fact and further stipulated to the following actions: 1) The establishment has stopped the policy of admitting underage patrons under a bracelet system as of December 1. 2) The regulations regarding identification will continue to be enforced, including the restriction to allow only Massachusetts identification. 3) The establishment cannot survive the rollback on the hours of operation.

Lt. Frank Roark of the Chelmsford Police Department read the report generated from the undercover surveillance investigation undertaken November 23 and into the morning of November 24, 2002. The Alambique was found in violation of the maximum number of patrons, as there were more than 200 patrons were in attendance on the night in question. The license identifies a 150-patron limit per the Building Inspector. Underage patrons were served. Lt. Roark stated a major concern is for the safety of the public during the late night hours, which is when most of the police calls are placed. The parking situation is also a problem with patrons parking across the street along Wellman Avenue. The Police department recommends a roll back of the hours of operation to 1 a.m. Lt. Roark pointed out that the owners are trying but the number of patrons and the hours of operation are working against them. Mr. Wilkins asked if a police detail would help. Lt. Roark responded that a detail would help but details are only available to establishments with seventy percent food sales.

A discussion ensued over the issue of the maximum number of occupants. The owner contended that the previous license allowed for 200 patrons. The transfer of this license was filed with a request for 200 patrons, however the Building Inspector approved 150 occupants. The owner agreed to comply with the limit, but contended that they were not knowingly violating the limit, as they were under the impression that the license allowed for 200.

Selectman McCall moved that the Board of Selectmen find the report of the Police Department to be credible and substantiated and find as fact that the following violations occurred on the night of November 23, 2002 into the early morning of November 24, 2002:

- The establishment had occupants exceeding the legal maximum allowable occupancy of 150 people violation Section 1, Paragraph 1.06 of the Town's Liquor License regulations that requires conformance with all applicable state and local building, health and zoning codes.

- Several minors in the establishment were in possession of alcohol in violation of MGL, Chapter 138, Section 34, 34C and Chelmsford's Liquor License Regulations, Section 1, paragraph 1.14; and further such illegality is in violation of the ABCC regulation 204 CMR 2.05 (2)
- The establishment served a patron to a point of intoxication with said patron subsequently arrested after leaving the premises on charges of assault and battery and operating under the influence constituting an additional violation of ABCC Regulations 204 CMR 2.05 (2)
- The establishment served a patron to a point of intoxication with said patron subsequently involved in an accident and arrested after leaving the premises on charges of operating under the influence constituting an additional violation of ABCC Regulations 204 CMR 2.05 (2)

Selectman Moran seconded. The Board discussed the capacity issue, concluding that it is a fact that the establishment was in violation. Mr. Bowen commented that despite the owners impression that they were in compliance due to the original license application, technically they were in violation because the building inspector approved occupancy for only 150 patrons. The Board voted unanimously to support the motion.

Selectman McCall moved that the Board of Selectman take disciplinary action with regard to the liquor license of Alambique as follows:

- For exceeding the legal maximum allowable occupancy in violation of building code and the Town of Chelmsford Liquor Regulations the license shall be suspended for one day.
- For serving alcohol to minors in violation of MGL, Chapter 138, Sec. 34, Sec 34c the license shall be suspended for five days.
- For serving alcohol to persons already intoxicated the license shall be suspended for five days.
- For the permitting of illegalities to occur on the licensed premises the license shall be suspended for five days.

These suspensions of the license shall be served concurrently and shall occur on consecutive Saturday evenings beginning on February 8, 2003.

Further, the license of Alambique shall be adjusted as follows:

- The license holder shall implement a strict policy and procedure to comply with the legal maximum allowable capacity of 150 persons. The plan shall be in writing and explain implementation, procedures and safeguards. It is to be submitted to the office of The Board of Selectmen by February 1, 2003.
- No one under the age of 21 is allowed on the premises, except staff who are at least 18 years of age.
- Identification of patrons shall be checked each time upon entry into the establishment, including re-entry.

- The license holder shall accept only the following forms of identification consistent with MGL 138, Sec. 32B:
  - Massachusetts Driver's License;
  - Massachusetts Registry of Motor Vehicle Liquor Identification Card;
  - Passport issued by the United States or a country recognized by the United States;
  - Valid Military Identification Card.

Selectman Moran seconded, motion supported unanimously.

Selectman McCall moved that the Board of Selectmen find that a number of violations of State and local laws and regulations occurred at Alambique Lounge between the hours of 1.a.m. and 2 a.m., and that such violations constitute a threat to public safety. He further moved that the Board of Selectmen find that there is not a public necessity to be serving alcohol after 1 a.m. and that the majority of Chelmsford establishments stop serving alcohol at 1 a.m. unless served in conjunction with full food service. Finally, Selectman McCall moved that the liquor license for the Alambique Lounge be adjusted to reflect a change in hours as follows:

From: 11:00 a.m.-2:00 a.m. Weekdays

From: 11:00 a.m.-1:00 a.m. Weekdays (inclusive of Saturdays)

Selectman Moran seconded, motion approved unanimously.

Public Hearing: Application for Beer and Wine License Double N Inc. d/b/a Sal's Pizza, 296 Chelmsford Street

Sal Lupoli, 29 North Broadway, Salem, NH, came before the Board to request a Beer and Wine License for Sal's Pizza, 296 Chelmsford Street. Mr. Lupoli said he and two members of the staff had attended the TIPS training and were awaiting receipt of the certification. The Board asked for verification that the floor plan was on record. The Town Manager confirmed that it was.

Selectman McCall made a motion to approve a Beer and Wine License for Double N Inc, d/b/a Sal's Pizza, 296 Chelmsford St. for the hours of Monday-Thursday from 11-9 pm, Friday-Saturday from 11 am-10 pm and Sunday from 12 pm-8pm. Motion seconded and license approved unanimously.

UNSCHEDULED BUSINESS

Ciro's

The Town Manager recommended that given the fact that Ciro's no longer held an All-Alcohol License the disciplinary hearing was moot. Selectman McCall made a motion to close the disciplinary hearing. Motion seconded and approved unanimously.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, January 27, 2003 at 7:00 p.m. There being no further business the board voted by roll to adjourn at 7:15 p.m.

Respectfully submitted,

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES

JANUARY 21, 2003

A meeting of the Board of Selectmen was held on January 21, 2003 at the Town Offices beginning at 12 Noon. Board members present were Selectmen William Dalton, Philip Eliopoulos, Michael McCall, Thomas Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager, and Jeanne Parziale, Assistant to the Town Manager.

Selectman Dalton stated that the purpose of the meeting was to determine the date for a ballot vote on the school project, with the choices of a special election in early March or on the regular election on April 1. He voiced his belief that placing the question at the April 1 election, the SOS group would have additional time to promote the project, and all interested parties would have the opportunity to vote.

The Town Manager stated that the wording of the Special Town Meeting of January 16, 2003 requires a ballot vote on the issue of the debt exemption for the school building project. The Board had previously considered a date of March 4 for an election. If that is the choice of the Board, then Monday, January 27 is the deadline for announcing the date for the special election.

Martin Kretsch of The Office of Michael Rosenfeld Architects (OMR) stated that March 4 is an aggressive date, but moving it to April makes it even more difficult to meet the June SBA deadline. Given the complexity of the project, and April 1 date contains a certain amount of risk and no leeway for unforeseen events. OMR concluded that this project is a tremendous amount of work. An election date of April 1 could push their actual start date to May 1, leaving only about one month of active work time.

Selectman Eliopoulos asked for a scenario of the architectural process. Mr. Lynch stated that the peer review RFP would go out in February, and the RFP for the new project should go out shortly thereafter. The design firms bidding would pick up where OMR left off.

The day after the election would be the time to award the contract.

Selectman Eliopoulos asked if a higher price would be charged to accelerate the program. He wondered about the quality of work that would have to be done in such a short time.

Mr. Kretsch stated that the SBA can offer a "deferred submittal" where construction can be postponed for a few years. This minimizes up-front costs. Less design is needed. He stated that OMR has not done a proposal of this type before. Certain sign-offs are needed.

Selectman Eliopoulos cautioned about having an April 1 election because of what happened in 1997. In that year the regular election was postponed due to a snowstorm. While unlikely, a weather event could take place in April, especially given the very snowy winter we are currently having. An additional delay in the election would be disastrous for the project.

Selectman McCall said he had calls of concern from residents about the costs of a special election. He said that he would like to stay with a special election in March to enable the architect to provide their best possible work.

Selectman Weisfeldt asked if the low bidder would get the project. Mr. Lynch answered that the award would go to the most responsible, qualified proposal. Price is not initially considered.

Evelyn Thoren, Chairman of the School Committee, said the project would be placed in great jeopardy by waiting to hold the election in April.

Sheila Pichette of the School Committee asked if absentee ballot rules are the same in special elections. Mr. Lynch replied that they were.

Selectman Dalton stated that many people told him they wanted to vote just once, and that is at the regular April election. He asked if the SOS would have enough time to launch their campaign if there were a March election. Mary Gregoire stated they would have enough time.

Dean Carmeris, Chairman of the SSBC, agreed with Selectman Eliopoulos' concern about the weather issue, and stated that the workload of OMR would be particularly burdensome if the election were held on April 1.

Selectman Dalton stated that March 4 was the favored date. He made a motion to hold a special election in the Town of Chelmsford on March 4, 2003 to vote on the $86 million school building project. Selectman McCall seconded, motion passed unanimously.

There being no further business, the meeting was adjourned at 12:45 p.m.

Respectfully submitted,

Janet E Murphy

Janet Murphy

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

January 27, 2003

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Presentation of Brick Kiln Cup: James F. O'Donnell, Chairman Billerica Board of Selectmen
- Certificate of Appreciation: Carol Cleven
- CHS Hall of Fame: George Simonian

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s)
- Board of Selectmen: October 15, 2002, October 21, 2002, November 4, 2002, November 13, 2002, November 18, 2002

Town Manager Reports
- Designer Selection Procedures

Town Manager Appointments

Town Manager Bids/Contract Awards

Scheduled Business

7:00 p.m. Public Hearing: Mass. Electric Company Petition, Place One Pole

7:35 p.m. Application for One-Day Beer & Wine License: Chelmsford Public Library

7:40 p.m. Application for All Alcoholic Restaurant License: Mama's Italian Grill, 285 Chelmsford Street

7:55 p.m. Application for Two One-Day All Alcohol Licenses, St. John's Church

Unscheduled Business
- Appointment of Deputy Constables
- Vote Special Election

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Meeting: Monday, February 10, 2003

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
JANUARY 27, 2003

A regular meeting of the Board of Selectmen was held on January 27, 2003 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen William Dalton, Philip Eliopoulos, Michael McCall, Thomas Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

PUBLIC SERVICE ANNOUNCEMENT

Certification of Appreciation: Carol Cleven

Selectman McCall read a certificate of appreciation to Carol Cleven on the occasion of her retirement as State Representative of the 16th District from 1986 to 2002. Mrs. Cleven was praised for her hard work and dedication to the community. She accepted the certificate and expressed appreciation and honor at having had the privilege to serve the community and be involved in many important projects, particularly those related to education. The Selectmen and Town Manager also presented Mrs. Cleven with an engraved rocking chair commemorating her service.

Brick Kiln Cup – James O'Donnell of Billerica

James O'Donnell, on behalf of the Billerica Board of Selectmen, presented the Board with the Brick Kiln Cup commemorating the Chelmsford High School football team's Thanksgiving Day victory.

Chelmsford High School Alumni Hall of Fame - 2003

George Simonian came before the Board to announce the 13th annual Chelmsford High School Alumni Hall of Fame to be held on Saturday, March 21 at 6 pm at the Doubletree Hotel in Lowell. The inductees to be honored at this year's event are as follows:

Edward Clancy Class of 1979	John "Jack" Fletcher Class of 1968
Robert R. Gagnon Class of 1958	John J. Judge Class of 1970
Michael J. Murphy Class of 1976	Edward S. Perzell Class of 1956
Dennis J. Ready Class of 1960	Peter Reynolds Class of 1978
Patricia J. Vondal Class of 1969	

The "Golden Lion Award" is being awarded to the Chelmsford Scholarship Fund for extraordinary service to the community.

OPEN SESSION

School Building Vote – Evelyn Thoren

Evelyn Thoren urged the Board to publicly support the School Building project. She emphasized that this project is the most cost effective approach to meeting the needs of the students. She further encouraged the Board to vote for a March election as opposed to a possible April vote. The architect has suggested that an April vote wouldn't allow enough time to make a comprehensive presentation to the SBA. Mrs. Thoren went on to talk about a list of items that need to be addressed in the schools. If these necessary items are done piece meal they won't be reimbursable and will ultimately cost the community more.

Charles Mullen, 65 Newfield Street

Charles Mullen, 65 Newfield St. urged the Board to consider holding the school vote at the regular election in April rather than in a special election in March. He cited the $18,000 it would cost to hold the special election as a waste of taxpayer dollars and also felt that the March date would prohibit those away for the winter from voting. Mr. Mullen requested that the Town Manager explain the bid and bond finance process. The Town Manager did.

The Board responded to Mr. Mullen's concern over the March election date. Absentee ballots are available from the Town Clerk and can be obtained by contacting the office. For the first time, absentee ballots will be available on line from the Town of Chelmsford website.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MINUTES

Board of Selectman:	October 15, 2002	November 4, 2002
	October 21, 2002	November 13, 2002
		November 18, 2002

Selectman McCall made a motion to approve the minutes from the meetings of October 15, 2002; October 21, 2002; November 4, 2002; November 13, 2002; and November 18, 2002. Motion seconded. Selectman Moran requested the minutes from the November 4 meeting be amended to reflect that Barry Balan suggested the underground utility plan include Warren Ave. Minutes approved as amended.

TOWN MANAGER REPORTS

Designer Selection Procedures

The Town Manager presented the Designer Selection Procedures which he had developed and adopted, and explained to the Board the need to establish in writing how designers are selected.

Town counsel reviewed the procedures and approved them. The Town Manager requested that the Board endorse the adopted procedures. The Board discussed the procedures.

Selectman McCall made a motion to endorse the Town Manager's Designer Selection Procedures dated February 1, 2003 in accordance with the provisions of Massachusetts General Law c. 7, 38K. Motion seconded and approved unanimously.

SCHEDULED BUSINESS

Public Hearing: Mass. Electric Company Petition, Place One Pole

David Bluchet, Operations Technical Manager, Mass Electric, came before the Board requesting permission to place one pole on Kidder Road. Mr. Bluchet said the client was requesting an increase in power service.

Selectman McCall made a motion to approve the pole petition for plan K812 for placement of one pole (603/9) on Kidder Road. Motion seconded and approved unanimously.

Application for One-Day Beer & Wine License: Chelmsford Public Library

Kathy Cryan-Hicks, representing The Adams Library, came before the Board seeking approval for a One-Day Beer and Wine License for the Library. The event is a fundraiser to benefit the Friends of the Library and Friends of Music. A dance will be held on Friday, February 7 at 8 pm.

Selectman McCall made a motion to approve a One-Day Beer & Wine License for the Chelmsford Public Library for the date and hours of February 7, 2003 from 8 p.m. – 1 a.m. conditional upon the submission of TIPS certification. Motion seconded and approved unanimously.

Ms. Cryan-Hicks said tickets could be purchased for $25 each at the library.

Application for All Alcoholic Restaurant License: Mama's Italian Grill, 285 Chelmsford Street

Michael Fadden, 2020 Lakeview Dr., Dracut, came before the Board on behalf of the new lessees of 285 Chelmsford St. (formerly Ciro's) to request an All-Alcoholic Restaurant License. The building owners, "91 Restaurant Corporation" intends to lease to CK1 Inc d/b/a Mama's Italian Grill. The property consists of three dining rooms and one lounge. Some of the outstanding issues are the elevator, final paving coat and landscaping. Mr. Fadden went on to say that his client wishes to do right by the Town and meet the conditions of the license. His clients hopes to open the restaurant and meet the requirements in a timely manner with the guarantee of a bond.

Mr. Fadden introduced Charlie Koravos as the owner of the restaurant. Mr. Koravos has 20 years experience in the restaurant business. He is currently owner/operator of Mama's Italian Restaurant in Dracut, and former owner of the Mill House Restaurant in Dracut. As corporate manager Mr. Koravos is seeking TIPS certification. The intent of the restaurant is to be the same type of family establishment as Mama's Italian Restaurant. Mr. Fadden said they were seeking to keep the current hours of operation of Monday through Thursday 11 a.m. – 1 a.m., Friday and

Saturday 11 a.m. - 2 a.m., and Sundays 12 pm – 1 am. However, the restaurant would be operating from Monday – Sunday 11am – 10 pm.

Selectman Eliopoulos noted Mr. Koravos reputation and said the restaurant would be an excellent addition to the community. Selectman Dalton inquired as to whether patio dining was included in the plans. Mr. Fadden responded that there was no intention to utilize the patio. Selectman Dalton went on to ask about the second floor space and its intended use. Mr. Fadden responded that the second floor would be used as offices and the necessary work to bring everything into compliance would be done. Selectman Weisfeldt inquired as to whether there could be proper signage. Mr. Fadden said they were currently seeking a variance to put up signage that would conform to the sign bylaws and in keeping with the neighborhood. Selectman Dalton also asked about the blocked sprinkler connection, and was told it would be corrected.

Mr. Fadden introduced Steve Koravos. Mr. Koravos stated that they were working with Jim Pearson and Andy Sheehan to come up with the numbers needed to set the bond. The necessary work would be completed. Mr. Lynch said that he had addressed it with Town Counsel and told that a bond of this kind is unusual. Selectman Dalton asked what the expected opening date was. Mr. Fadden said they hoped to open March 1st. Mr. Dalton pointed out that generally there was a two-week waiting period for All-Alcohol Restaurant Licenses, but in the past waivers had been granted based on the applicant's reputation and record in the community.

Selectman McCall moved the Board approve an All-Alcohol Restaurant License for C.K. Restaurant, d/b/a Mama's Italian Grill, 285 Chelmsford St. for the hours of operation from Mon-Thurs. 11 a.m.– 1 a.m., Friday and Saturday 11 a.m. – 2 a.m. and Sun. 12 p.m. – 1 a.m. Motion seconded and approved unanimously.

Application for Two One-Day All Alcohol Licenses, St. John's Church

Pat Jamros came before the Board seeking approval for two One Day All-Alcohol Licenses for St. John's Church. Ms. Jamros assured the Board that the TIPS certification for the bartender Joe Jeffrey was on file.

Selectman McCall made a motion to approve two One-Day All-Alcohol Licenses for St. John's Church, 115 Middlesex St. for the following dates and times, Saturday, February 22, 2002 from 7:30 pm –11:00 pm and Saturday, March 22, 2002 from 6:30 pm –11:30 pm. Motion seconded and approved unanimously.

UNSCHEDULED BUSINESS

Appointment of Deputy Constables

Selectman McCall made a motion to approve the appointments of the following Deputy Constables each filing a bond of $5,000:

Henry Sullivan	1 Bel-Air Dr., Chelmsford
Kathleen Sullivan	1 Bel-Air Dr., Chelmsford
Kevin V. Whippen	168 Groton Rd., Chelmsford
Judith Goffin	19 Cathy Rd., Chelmsford
Michael J. Denihan	45 Prescott Dr., Chelmsford
Joseph R. Connell	3 Connell Dr. Westford
Mathew St. Hilaire	11 Cross St., Chelmsford
Francis M. Fraine	24 Floyd St., Billerica
Donald Stout	41 Blossom St., Lowell

Motion seconded, appointments approved unanimously.

TOWN MANAGER REPORTS

Budget

The Town Manager discussed the increasingly dismal forecast for the State budget. The Governor has pledged the local governments will only take on a portion of the pain. How this will affect Chelmsford remains to be seen. The Town Manager went on to say that disproportionate cuts could be very harmful to Chelmsford.

Locally, he went on to report, the Town of Chelmsford budget could be level funded which translates into a reduction in levels of service.

Service and Administrative Reform Task Force

The Town Manager reported that he was asked to serve on the MMA'S new Service and Administrative Reform Task Force. The first meeting will be held this week. The goal of the Task Force is to review and make recommendations to the MMA Board of Directors regarding State and local finances and revenue options, adequate funding of local aid accounts, and programs, and reform opportunities in the delivery of local services.

Chapter 40B

Mr. Lynch stated that some communities are advocating a moratorium on future 40B projects. Selectman McCall made a motion to send a letter to the Governor supporting a moratorium on Chapter 40B development as one way to help cities and towns weather the current fiscal crisis. Motion seconded and approved unanimously.

40B Proposal – Turnpike Road

A developer has proposed building 30 units on 2.5 acres of land on Turnpike Road. Eight of the units would be deemed affordable. The units would be approximately 1600 square feet. This is an area that doesn't have some of the environmental sensitivities as other projects in Town.

Health Insurance

Increases to health insurance have been running at about 15%, with other communities seeing even larger increases. The Insurance Advisory Committee (IAC) has been working with the Town reviewing a Town-solicited proposal by MIIA that could potentially save a few hundred thousand dollars for the Town and its employees. It is conceivable that cost increases could be smaller than 10% with the IAC recommendation to accept the Town proposal. The next step will be collective bargaining.

Police Station

The police station is moving forward. It should be ready to move into by early spring. A couple of open houses are currently being scheduled.

Fire Department

The Quint truck is back in service. The cost to repair it has been assumed by the manufacturer. Selectman Moran thanked the surrounding communities for the use of their ladder trucks when necessary.

Meetings

The Town Manager proposed a joint meeting of the Finance Committee, School Committee and Selectmen to review the audit report sometime in March.

The Town Manager and Selectmen went over the tentative meeting schedule through June (2/10, 2/24, 3/10, 3/24, 4/14, 4/28, 5/12, 6/2, 6/16 and 6/30).

SPECIAL ELECTION FOR SCHOOL PROJECT

BOS Vote: Special Election

The Town Manager distributed a sample of the wording of the Special Election vote. Selectman Dalton stated that on January 16, 2003 a Special Town Meeting voted to approve an $86 million school project contingent upon a Proposition 2 ½ debt exemption. On January 21, the Selectmen met with the architect and others to discuss whether a special election should be held on March 4, 2003. Selectman Dalton stated that the Board would now vote to set the date on which to hold a special election in the Town of Chelmsford.

Selectman McCall made a motion to place the following question on the ballot in a special election:

> *"Shall the Town of Chelmsford be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bonds to be issued in order to finance the design and construction of the renovation and expansion of the Chelmsford High School and the construction of a new McCarthy Middle School, including the original equipment and related site improvements and all other costs incidental and related thereto?*

Selectman Moran seconded. Motion passed unanimously.

Selectman Moran endorsed the project. He stated that there should be standard building designs from the School Building Assistance Program that can be completed without having to design and re-design proposals.

Selectman Eliopoulos expressed his support for the project and hopes the voters will as well. Selectman McCall agreed. Selectman Dalton stated that he has given the matter a great deal of thought, and does not want to lose an opportunity for reimbursement by the State, or delay the project which will make it cost more money. He is in support of the project.

Selectman McCall made a motion to set the date for a special town election to vote on the ballot question as above on March 4, 2003, from 7:00 a.m. to 8:00 p.m. Selectman Moran seconded, motion passed unanimously.

Selectman Eliopoulos stated the costs of a special election were significant and that to hold a special election is a very important matter. Selectman Weisfeldt commented that "Support Our Schools" could get the word out by a March 4th special election. Selectman Moran said the absentee process has improved greatly. He strongly supported a March 4th vote. Selectman McCall said the $18-20,000 it would cost to hold a special election was not an insignificant amount, however, when weighed against the possible losses in reimbursement, there was no question but to support the March 4th date. The Board unanimously encouraged everyone to vote on March 4, 2003.

SELECTMEN REPORTS/REFERRALS

- Selectman Weisfeldt said the sewer work is moving along.
- Selectman Moran said that a recent traffic count in Town found that the volume hadn't increased recently.
- Selectman Moran met the State reps at the most recent NMCOG meeting. He suggested the most important traffic project be identified so that it can be pushed.
- Selectman Moran said the lines marking the traffic lanes on Route 3 continue to be misleading and potentially dangerous. Selectman Eliopolous said he would relay the comment.

- The Town Manager corrected a misprint in the local paper regarding the purchase of property. The property is located on Maple Street, not Bartlett Street. The Town acquired the property through a grant from the State in connection with the Route 3 project.
- Selectman Eliopoulos reported that discussions have been initiated with Mass. Highway regarding landscaping. He would leave plans at the Town Offices for the perusal of interested residents.
- The Tyngsboro Sewer Commission gave the Chelmsford Commission kudos for being ahead of the curve.
- Selectman Dalton requested a report on the snow budget. The Town Manager said the budget was used up two weeks ago. However, it has lasted longer than many other communities. Snow removal is the only line item that can be carried over to the following year's budget.
- Selectman Moran suggested the DPW purchase another sidewalk plow. The Town Manager responded that Jim Pearson is updating his capital budget request to address this need.

REGULAR MEETING

The next meeting is scheduled for Monday, February 10, 2003 at 7 p.m. There being no further business the board voted to adjourn at 9:40 p.m.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

February 10, 2003

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Eagle Scouts: James Burke and Thomas Hall

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s)
- Board of Selectmen: December 2, 2002
  December 16, 2002
- Executive Session: November 4, 2002
  November 18, 2002
  December 16, 2002

Town Manager Reports

Town Manager Appointments
- 350th Committee

Town Manager Bids/Contract Awards
- School Project Peer Review

Scheduled Business

7:30 p.m. Public Hearing: Application for Change in Premises, Radisson Hotel

7:35 p.m. Application for Common Victualer License: Shop 'n Save – Mass, Inc.
(for Hannaford Food & Drug), 66-2 Drum Hill Road

7:40 p.m. Application for Common Victualer License: Westland Deli Mart
175 Dalton Road

Unscheduled Business
- Vote Warrant for Special Town Election

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Meeting: March 3, 2003

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES

FEBRUARY 10, 2003

A regular meeting of the Board of Selectmen was held on February 10, 2003 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and Jeanne Parziale Assistant to the Town Manager.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETING

Board of Selectmen: December 2, 2002, December 16, 2002

Selectman McCall made a motion to approve the minutes from the regular meetings of December 2 and December 16, 2002. Motion seconded and approved unanimously

Executive Session: November 4, 2002, November 18, 2002, December 16, 2002

Selectman McCall made a motion to approve the minutes from the executive sessions of November 4, 2002, November 18, 2002 and December 16, 2002. Motion seconded and approved unanimously.

PUBLIC SERVICE ANNOUNCEMENTS

Eagle Scouts: James Burke and Thomas Hall

James Burke and Thomas Hall of Troop 74 were commended for achieving the level of Eagle Scout. The Board recognized the separate service projects of each scout. Mr. Burke made improvements to the "Snack Shack" at the Pop Warner field, while Mr. Hall built brick patios at Varney Park and vandal proofed the trash containers.

Mary Frantz – League of Women Voters

Mary Frantz came before the Board on behalf of the League of Women Voters to invite the public to attend a legislative night on February 26 at 7:30 at the Adams Library. The purpose of the evening is to address the legislative priorities of the LOWV and those of the community at large. The LOWV is anticipating the participation of all local legislators.
The LOVW is hosting Candidates Night Monday, March 24 at the Parker School Cafetorium. The Board pointed out there was a Selectmen's meeting scheduled for that evening. The Board decided to reschedule its meeting to allow the two Selectmen running for re-election to attend.

OPEN SESSION

Charles Mullen

Charles Mullen, 65 Newfield St. came before the Board seeking information regarding the sewer project. The Town Manager explained that there is a possibility that approximately $20 million may be necessary to complete the project. Funding is being sought through grants and loans as well as betterments to complete the project.

Kelly Beatty

Kelly Beatty, on behalf of Chelmsford Telemedia came forward at the Board's request to discuss the cancellation of the Channel 3 News broadcasts. Mr. Beatty explained that that AT&T/Comcast shut the programming down and dismissed ten employees on January 31st. Lowell is aggressively pursuing the matter. In the negotiations between Lowell and ComCast in October, Comcast sent a letter on Oct. 11, 2002 reassuring Lowell that there were no plans to discontinue the news programming. Lowell is exploring whether this is a breach of contract.

Bob Carr of Comcast has made initial plans to turn over a substantial amount of equipment to Lowell.

The Board wishes to invite Mr. Carr in to address the situation. Mr. Beatty suggested the Board send a letter to Mr. Carr supporting the continuation of local news as well as underwriting and to express interest in the equipment. He reminded the Board that the cable contract is up for renewal in 2005. There has been a long standing interest in interconnecting the newsgroups and this would provide an opportunity to address that interest.
Selectman McCall made a motion to draft a letter to Bob Carr of AT&T/ComCast outlining the points suggested by Kelly Beatty and to invite Mr. Carr in to an upcoming meeting. Motion seconded and approved unanimously.

TOWN MANAGER APPOINTMENTS

350th Celebration Committee

The Town Manager requested the Board vote to approve his appointment of the following individuals to the Steering Committee for the 350th Celebration: Susan Carter, John Chemaly, Bill Dalton, Eileen Duffy, Jeff Hardy, Kathy Cryan-Hicks, Holly Hamilton, Donna Johnson, and Mark Magiera. There will be five subcommittees: fund raising, parade, cultural activities, social activities and history. Mr. Lynch went on to say that additional subcommittees may be formed.

Selectman McCall made a motion to approve the Town Manager's appointments to the Steering Committee for the 350th Celebration. Motion seconded, appointments approved unanimously.

SCHEDULED BUSINESS

Public Hearing: Application for Change in Premises, Radisson Hotel

Atty. Doug Hausler came before the Board seeking a change in premises for the Radisson Hotel, Alpine Lane. Mr. Hausler said there would be no change to the seating capacity. The change was the removal of a wall to build a u-shaped bar.
Selectman McCall made a motion to approve the application for a change in premises to the Radisson Hotel, Alpine Lane. Motion seconded and approved unanimously.

Applications for Common Victualer License: Shop 'n Save – Mass Inc. (for Hannaford Food & Drug), 66-2 Drum Hill Road, and Westland Deli Mart, 175 Dalton Road

The Town Manager explained that in a recent routine review and cross reference of licenses with the Board of Health it was found that Shop 'n Save and the Westland Deli Mart were in need of Common Victualer licenses. The Board of Health has approved them for licensing. Selectman Eliopoulos made note that the seating requirements on the Shop 'n Save license should read "No Seating – For Off Premises Consumption" rather than "No Seating" to avoid confusion.

Selectman McCall made a motion to approve a Common Victualer license for the Shop 'n Save – Mass Inc. for Hannaford Food & Drug, 66-2 Drum Hill Road for the hours of 7–10 pm weekdays and weekends 7-9 pm amended to read "No Seating-Off Premises Consumption". Motion seconded and approved unanimously.
Selectman McCall made a motion to approve a Common Victualer license for the Westland Deli Mart, 175 Dalton Road for the hours of 6 a.m.– 7 p.m. weekdays. Motion seconded and approved unanimously.

TOWN MANAGER REPORTS

Open Space Plan

The Town Manager reported that the Open Space plan is updated every ten years. A public input session will be held on Thursday, February 13th. There is also a meeting scheduled for February 18 with the Conservation Commission regarding Redwing Farm.

Tax Relief for Senior Citizens

The Town is giving a presentation on Thursday, February 27 at the Senior Center on tax relief for senior citizens, such as the circuit breaker law and the senior tax rebate program. The Town Manager also went on to explain that there is a Tax Deferral Program in place. Those eligible can defer paying property taxes and then pay upon the sale of the house. Selectman Eliopoulos suggested that some CPAs might be willing to come in and talk to individuals on how to apply for such programs.

Budget

The Town Manager said that a letter had been sent to Town Meeting Representatives outlining budget cuts in local aid and providing a forecast for where things are headed in 2004. The outlook is fairly optimistic for making it though 2003. The real concern is for 2004 and 2005 in view of projected reductions in State aid.

FEMA Flood Plain Designation

The Town received a letter from Riverneck Road Realty Trust requesting the Town review and approve a response to FEMA regarding a challenge to the flood plain designation in the vicinity of the proposed Riverneck Road Chapter 40B project. The Town received the letter just two days before the appeal deadline. The letter will be returned to Riverneck Realty Trust. Riverneck Realty Trust can send the document back to FEMA and pursue an appeal on its own behalf. Mr. Lynch went on to say that in the opinion of Town Counsel, FEMA's flood plain designation is correct. Legal counsel continues to review the matter and will draft a response.

UNSCHEDULED BUSINESS

Vote Warrant for Special Town Election

On January 27, 2003 the Selectmen voted to hold a special election in the Town of Chelmsford on March 4, 2003 to vote on a $86 million school project contingent upon a Proposition 2 ½ debt exemption.

Selectman McCall made a motion to post the Warrant for a Special Town Election. Motion seconded, and approved unanimously.

TOWN MANAGER BIDS/CONTRACT AWARDS

Independent Peer Review of School Feasibility Study by OMR

The Town has sent 15 requests for proposals and received three replies. The Town Manager recommended awarding the contract to Kang Associates as the most qualified for a fee of $3500. Selectman McCall made a motion to approve the Town Manager's award of the RFP for Peer Review to Kang Associates of Sudbury, MA. Motion seconded. The Board requested the Town Manager explain what a peer review is. The Town Manager explained that the peer review firm would take the plans drafted by OMR and review them to ensure that work meets the standards for architectural design and cost effectiveness. This is a step required by law where the same architect may be used for the design and plans. Motion approved unanimously.

REFERRALS

- Selectman McCall mentioned two informational sessions on the school project to be held on February 11, 2002 at 7:30 p.m. at the Harrington School and February 27, 2002 at 7:30 pm at the South Row School.
- The Community Preservation Committee would be contributing towards the Open Space Forum by putting together possible plans for the use of space. A meeting would be held in March to go over a list of projects, reported Selectman McCall.
- Selectman McCall brought up the issue of potholes. The Board discussed the large number of potholes this season. The Town has been actively repairing the roads, and reporting pothole problems to the State where appropriate.
- Selectman Moran said he would like to see Town Meetings begin with the Pledge of Allegiance, as is done at the Selectmen's Meetings, and made a motion to add such an article to the Spring Town Meeting Warrant. Motion seconded and approved unanimously.
- Selectman Eliopolous requested greater State Police presence in monitoring the speed of 18-wheelers on Route 3. The Town Manager said he would follow up on the request.
- Selectman Eliopolous reported on a recent Route 3 PAC meeting. Sound barriers could be expected in the next couple of months. He went on to say that he had met with the State regarding landscaping and privacy fencing.
- Selectman Eliopoulos asked for an explanation of where citizens could get information in the event of an emergency in the Town. The Town Manager said there is an emergency plan in place. He added that the new police station, which is set to open in March or April, would serve as a centralized operations center.
- Selectman Eliopolous asked for an update on the Bike Path. The Town Manager responded that the funding was in place but there were outstanding issues with the DEP.
- Selectman Dalton referred a request by a resident that the Chelmsford Country Club charge residents less to play than non-residents. The Town Manager responded that the management contract was held by a private entity. A percentage of the revenue is turned back to the Town. Cutting into that revenue would go against their contract.
- Selectman Dalton requested that candidates for the Board of Selectmen be invited to an upcoming Selectmen meeting to introduce themselves and speak briefly to the Board and the public. It was decided to invite the candidates to the March 3 meeting.

- Selectman Dalton suggested that the best way to address maintenance needs for all Town buildings including the schools would be for it to be handled in a centralized way by the Town with an oversight committee. Such a plan would need to be approved at Town Meeting. The Town Manager responded that more thought would need to be put into such a plan and that a committee might add another layer of bureaucracy. He went on to say that the necessary professional expertise already lay within Town departments. Selectman Dalton requested an article be put on the Town Meeting Warrant, and if the article passed, the process would then be addressed. He went on to say that the Board, School Committee and Town Meeting Reps owed it to the community to handle the maintenance and upkeep of Town buildings appropriately. Selectman McCall moved that an article be placed on the Spring Town Meeting Warrant to amend the Town Charter, giving the Town responsibility for the maintenance of all Town buildings. Motion seconded and approved unanimously.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, March 3, 2003 at 7:00 p.m. There being no further business the meeting adjourned at 9:10 pm.

Respectfully submitted,

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES

February 14, 2003

A meeting of the Board of Selectmen was held at the Town Offices on February 14, 2003 beginning at 12:00 p.m. Selectmen present were William Dalton, Philip Eliopoulos, Michael McCall, Thomas Moran and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

Selectman Dalton stated the purpose of the meeting was to decide the next steps regarding the school building project. He reminded everyone that at a meeting on February 10, 2003 the Board voted to hold a special election on March 4, 2003 to vote on a $86 million school project contingent upon a Proposition 2/ ½ debt exemption.

However, since that vote, the State Dept. of Education announced a moratorium on new projects for consideration by the SBAB. The Town Manager has been in contact with our legislators for additional information. He has learned that the Senate has taken up a supplemental amendment to try to have the moratorium lifted, and a specific deadline established for new submittals. Several dates were discussed, including February 25. Mr. Lynch stated that Chelmsford's four representatives were trying to get the date extended to March 7, which would allow Chelmsford's project to be submitted to the SBAB if it is approved by the voters on March 4. The question was raised as to whether the House can change a date voted by the Senate. The matter would have to go to conference committee. Mr. Lynch stated that he will stay in touch with the House and Senate legislators for updates.

The question was also raised about the possibility of canceling the special election, especially if the warrant was not yet posted. Mr. Lynch explained that in the opinion of the Secretary of State and the Attorney General, the election has to proceed, short of a court order which would be unlikely. A number of people have already voted by absentee ballot and returned their ballots to the Clerk. Once an election has been called it must continue. There would be no public purpose served by trying to stop an election.

Selectman Moran asked that if the language passed the House and went to conference committee, approximately how long does that process take. Mr. Lynch stated that it would probably take until the end of February or early March, and then the Governor would have ten days to sign it into law. He added that there are a number of communities that will have projects for submittal to SBAB pending the outcomes of their own elections. Thus, this is a matter that the Governor will need to address.

Mr. Lynch recommended waiting on sending out any requests for proposal until after a decision is reached on the moratorium.

Selectman McCall stated that he had conversations with the Dept. of Education and aides from the Governor's office. He agreed that the question should still go before the voters and that we must await a decision on the SBAB. Selectmen Eliopoulos and Moran agreed.

Selectman Dalton wanted to reassure everyone that the Town will continue to apply pressure to the representatives and urge them to pass this legislation.

There being no further business, the meeting was adjourned at 12:50 p.m.

Respectfully submitted,

Janet Murphy

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

March 3, 2003

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Proclamation: Town of Chelmsford Scholarship Month March 2003 – Neal Lerer
- Introduction to Candidates for Board of Selectmen

Minutes of BOS Meetings
- Board of Selectmen: January 16, 2003
  January 21, 2003

Open Session

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

Scheduled Business

7:30 p.m. Joint Meeting: Selectmen, Finance Committee & School Committee
R. E. Brown & Company - Presentation of FY02 Audit

8:00 p.m. Application for One-Day Beer and Wine License, St. Vartanantz Church

8:05 p.m. Robert Carr, ATT Comcast

Unscheduled Business
- Application for Auctioneer's License: Dovebid, Inc.
  Foster City, California
- Discussion of Town Meeting Warrant (Draft)

Selectmen Referrals

Press Questions

Executive Session

Next Meeting: March 17, 2003

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES

MARCH 3, 2003

A regular meeting of the Board of Selectmen was held on March 3, 2003 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETING

Board of Selectman: January 16 and January 21, 2003

Selectman McCall made a motion to approve the regular minutes from the meetings of January 16 and January 21, 2003. Motion seconded and minutes approved unanimously.

PUBLIC SERVICE ANNOUNCEMENTS

Town of Chelmsford Scholarship Month

Selectman McCall read a proclamation proclaiming March Scholarship Month. Neal Lerer accepted the proclamation on behalf of the Scholarship Fund Committee. The fund was established in 1957 and has been awarding scholarships ever since. The fund has awarded a total of $788,650 including 62 awards in 2002 totaling $47,250 to Chelmsford residents seeking higher education. Contributions to the fund can be made from a tear off on the tax bills sent directly to the Treasurer's Office.

Candidates for Board of Selectmen

The Board welcomed candidates seeking election to the BOS. The candidates were invited to come forward, introduce themselves and state their vision for the Town of Chelmsford.

Glenn Doherty, 5 Walnut Rd. stated he is an eight-year resident of Chelmsford. He currently works as a consultant to large and small business, providing aid in creating and executing business plans. He would bring skills in finance, budgets and long-term to the Town. He wants to unite the community behind its leaders.

Dominic Leone, 30 Montview Rd., has been a resident since 1962. His children went through the school system. Mr. Leone feels his experience with maintenance contracts, budget analysis and contract negotiation provide him with the background for the position.

Richard McClure, 8 Westford St., also a long time resident expressed a deep commitment to the Town. As an attorney, Mr. McClure recently fought redistricting. Mr. McClure is particularly interested in Chapter 40B issues.

William Dalton, 12 Dartmouth St., cited his contributions to the community over his nine years as selectman. He said he continues to be committed to lowering taxes. During his tenure on the Board, the stabilization fund has grown to $8 million.

Philip Eliopolous, 26 Arbutus Rd., said that during his six years on the Board he has been proactive for seniors. As liaison to the Route 3 project, he has worked hard to be an advocate for the community. In these tougher economic times he pledged to continue a policy of fiscal conservatism. He would lobby the state for an increase in local aid.

OPEN SESSION

Ron Marinella, 17 State St. came before the Board to bring attention to a situation in a Billerica neighborhood abutting Bishop, Queen and State St. There is an indication that plans for a development in that area are underway. The only access to the area would be through either Queen or State St. This would disrupt the residential neighborhood. Representatives from the neighborhood are seeking help from the town leadership in stopping this.

The Town Manager said he had had a productive meeting with some residents of the neighborhood. He agreed that it looks as though a developer is interested in the parcel and that the only access would be through Chelmsford. He along with Jim Pearson and Andy Sheehan are looking to identify ways to protect the neighborhood's interest. The Board agreed to keep a close eye on the situation.

Liz Marshall, School Project

Liz Marshall, 16 Colonial Dr. came forward to thank the both the elected and appointed boards for supporting the School Project. She hoped the election would show that the Town would show itself as a community moving forward.

Mary Gregoire, "Support Our Schools"

Mary Gregoire, 4 Byam Rd. came before the Board to urge to the community to vote in the election the following day. The State has extended the time frame for applications to be accepted by SBA to June 30th. It is in the best interest of the town to take advantage of the opportunity for reimbursement. She went on to say that this was the last chance for reimbursement and address the problems faced by the schools.

Charles Mullen, 65 Newfield St.

Mr. Mullen requested a copy of the spending plan for the stabilization fund. The Town Manager explained that there is a spreadsheet which outlines the outlays for the stabilization fund over the next five years.
Mr. Mullen went on to urge the public not the support the school project. In his opinion, the community can't afford it.

SCHEDULED BUSINESS

Joint Meeting: Selectmen, Finance Committee & School Committee R.E. Brown & Company – Presentation of FY02 Audit

Bob Brown of Robert E. Brown & Company presented the annual audit report to the Board of Selectmen, Finance Committee and School Committee. He introduced his colleague, Chris Laviolette, who also worked on the audit.

As always the audit report is divided into three parts, the general purpose financial statement, grant audit and the management letter. The Town was complimented for its excellent and professional financial staff. There was only $500,000 in unspent budget. The is reflective of good budgetary practices. Chelmsford continues to have an excellent tax collection rate. There

were no findings to report in the auditor's report. The management report consisted of a note on the GASB requirements and two follow up comments from reports of previous years. The Town continues to perform well and Mr. Brown commended Fred Mansfield, Jean Sullivan and their staff for their excellent work.

Application for One-Day Beer and Wine License, St. Vartanantz Church

Richard Madanjian came before the Board seeking a One-Day Beer and Wine License for the St. Vartanantz Church for the date of March 22, 2003 from 7 pm – 11 pm. The Board asked whether there was a TIPS certified bartender on file. Mr. Madanjian said there was.

Selectman McCall made a motion to approve a One-Day Beer and Wine License for St. Vartanantz Church for March 22, 2000 from 7 pm – 11 pm. Motion seconded. License approved unanimously.

Robert Carr, Comcast

Robert Carr, Comcast, came before the Board in response to an invitation from the Board to respond to the recent elimination of the local news show on Channel 3. Mr. Carr said that the decision to eliminate the news program was one not made easily. Comcast has decided to take the news on that station in a more regional direction. Comcast feels that the local news is important and would continue to support the local access channels administratively and technically but not financially. A regional consortium would be encouraged but the direction of such a venture was up in the air at the moment due to the vacancy of the directorship in Lowell, he went on to say. The Board asked about the future of the equipment that had been used during the broadcasts. Mr. Carr responded that no formal decisions had been made regarding the equipment. The equipment would be held until it was determined what direction the regional consortium would take.

Auctioneer's License – Dove Bid, Inc.

Selectman McCall made a motion to approve an annual auctioneer's license for Dove Bid, Inc., 1241 Hillsdale Blvd., Foster City, CA for the date of March 13, 2003 at Sycamore Networks, 4 Omni Dr., Chelmsford, MA. Motion seconded and approved unanimously.

TOWN MANAGER REPORTS

The Town Manager reported that 20 percent of Town revenues comes from State Aid. All communities are currently going through the budget process, which is proving very difficult given the number of changes that are happening with State Aid. Mr. Lynch went over a recent breakdown of state aid. Additional assistance has been wiped out completely and replaced with the "Local Aid Mitigation Fund". This transitional fund is only available through FY04. The Romney administration has said that only 10.5% has been cut, however in the Chelmsford's case, it is closer to 12.4%.

The Town Manager was optimistic that the Town will make it through FY03, although a concern exists for ice and snow removal costs, which remain significant. The FY04 budget should be balanced and ready for submittal by the following week.

Mary Frantz came forward and discussed the school aid formula and foundation budgets. Mr. Lynch said he was working with the Mass. Municipal Association and other impacted communities to address these inequities.

UNSCHEDULED BUSINESS

Discussion of the April Town Meeting Warrant (Draft)

The Town Manager distributed the warrant for the April Town Meeting to the Board. The Board would discuss the warrant at the next meeting.

REFERRALS

- The Sewer Commission met February 25 and voted to include several private drives in the project. The treatment plant is nearing capacity. The question about increasing capacity at this point is cost.
- In light of the recent tragedy at the Rhode Island nightclub, Selectman Weisfeldt expressed concern for the local nightclubs. The Town Manager responded that all area clubs are subject to regular inspections. The Board suggested that the area facilities be better aware of their capacity limits.
- Selectman Weisfeldt congratulated the Swim Team on its recent State Championship.
- Selectman Moran commented on the recent League of Women Voters legislative night. He found the session to be excellent and informative.
- Selectman Moran expressed displeasure with the proposed bottle bill to tax water and wine. He warned that it would only serve to drive consumers to New Hampshire.
- Selectman Moran found recent campaign sign holding on Sunday to be in poor taste and cautioned candidates against it.
- Selectman McCall inquired as to why exit signs are only placed on top of doors. He suggested that signs be placed in other locations leading to doors so as to be more visible in the event of a fire. Selectman Dalton said that one of the biggest problems is the natural inclination for people to try and get out the door they came in. He suggested that everyone take a minute to make themselves aware of exits when they are out.
- Selectman McCall urged the community to come out and vote in the Special Election on March 4. He also noted that changes would be made to the way future reimbursements are handled for school projects. This would be the last opportunity for reimbursement under the existing policies.
- Selectman Eliopolous said the recent seminar on tax savings was good. It also became a forum for seniors to get information and voice their concern on a number of issues. He went on to suggest that it would be a good thing to go and meet with seniors on a periodic basis.
- Selectman Eliopolous said they were working on a draft for screening along the Route 3 corridor.
- Selectman Eliopolous brought forward the concerns of a resident on 3 Wildwood St. The water pipes were fixed but the landscaping was affected in the process. The resident is waiting for it to be addressed. The Town Manager said this was a matter that the Water District is working on.
- Selectman Dalton said there was a drain sinking on Sylvan Avenue and Chelmsford Street (Route 110). Mr. Lynch said that this section of Route 110 is under the State's jurisdiction for repair, and that the State would be contacted.
- Selectman Dalton urged the community to come out and vote. Election hours are 7 am – 8 p.m.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, March 17, 2003 at 7:00 p.m. The Board voted by roll to go into executive session for the purpose of discussion collective bargaining, litigation and real property. There being no further business the meeting adjourned at 9:20 pm.

Respectfully submitted,

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES
March 12, 2003

A meeting of the Board of Selectmen was held at the Town Offices on March 12, 2003 beginning at 12:10 p.m. Selectmen present were William Dalton, Philip Eliopoulos, Michael McCall, Thomas Moran. Also present were Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

BUDGET

Mr. Lynch presented his proposed budget for FY04. Based upon level funded Departmental Budgets and initial projections of revenue and fixed costs, the Town would face a deficit of $1,753,611.

The Town's revenue forecasts are based upon property taxes increasing by 2 ½% plus $750,000 in new growth which is down by approximately $195,000 for FY03. Property taxes for the sewer project increase by $787,234 as State Sewer Rate Relief funds of $400,000 have been cut, and less betterment monies will be transferred so as to build funds for future sewer contracts.

State Aid is based upon the Governor's proposed budget. In this plan Chelmsford's State aid is reduced by $1,411,697.

Local receipts are projected to increase by $454,634 with the largest increases in motor vehicle excise taxes ($285,468) and Building Permits ($146,684) as a result of continued building projects, particularly multi-family housing under Chapter 40B and an increase in permit fees.

In accordance with the Stabilization Fund plan, the proposed Town budget does include a transfer of $1.9 million for FY04.

The proposed budget does include expected increases in the Nashoba Tech budget and debt service. Undistributed costs increase by approximately of $236,000. Middlesex Retirement increases by $526,391, an increase of nearly 22% but less than originally proposed by the Retirement System. Employee health insurance increases by only $100,000 based upon expected changes in the health insurance program offered by the Town.

Nearly all departmental budgets are reduced for FY04. School spending is decreased by $202,000. The budget does not include cost of living increases for any Town employees for FY04. Savings in several departments including Health, Fire, Clerk and Assessors are a result of the full implementation of the Early Retirement Program for FY03. The budget does not include any layoffs, although the hiring freeze will remain in effect for all non-essential positions. It is expected that one patrol officer vacancy will occur in FY04 and not be filled.

The areas of further budget concern include acceptance of new health insurance plans, further reductions in State Aid and collective bargaining settlements. It will be necessary to cover the snow and ice overdraft by the Fall Town Meeting.

There being no further business the meeting was adjourned at 1:40 p.m.

Respectfully submitted,

Bernard F. Lynch

BOARD OF SELECTMEN MEETING MINUTES
April 3, 2003

The reorganization meeting of the Board of Selectmen was held on April 3, 2003 at the Town Offices at 7:00 p.m. Board members present were Stuart Weisfeldt, William Dalton, Philip Eliopoulos, Michael McCall and Thomas Moran. Also present was Bernard Lynch, Town Manager.

SCHEDULED BUSINESS

Board Reorganization

Selectman Dalton opened nominations for Chairman. Selectman Eliopoulos nominated Michael McCall for Chairman. Motion seconded by Thomas Moran and passed unanimously.

Selectman McCall assumed the duties of Chairman and opened nominations for Vice Chairman. Selectman Moran nominated Philip Eliopoulos for Vice Chairman. Motion seconded by Bill Dalton and passed unanimously.

Selectman McCall opened nominations for Clerk. Selectman Moran nominated Stuart Weisfeldt for Clerk. Motion seconded by Bill Dalton and passed unanimously.

Following the reorganization vote, Board members took their new places.

OTHER BUSINESS

Ruth Luna of 10 Carter Drive congratulated Selectmen Dalton and Eliopoulos on their re-elections. She commended the Selectmen for their actions on the proposed project by Princeton Properties on Riverneck Road. She thanked them for their vigilance and support, urging the Board to continue using Town Counsel Jay Talerman to handle the matter, including any appeals. She provided a letter to the Selectmen regarding this matter.

Selectman Moran raised the idea of showing support for troops in the current Iraqi conflict. He made a motion to show support by raising P.O.W. flags in the Center and Vinal Square until the conflict is ended and fate of the P.O.W.s is determined. Flags on the Common for April 26 Support Our Troops Rally. Selectman Weisfeldt recommended the placement of flags at Veterans Park until the end of the Conflict. Selectman Eliopoulos made a motion to place flags at Veterans Park. Motion seconded, passed unanimously.

Town Manager Report

Mr. Lynch distributed a spreadsheet entitled "Chapter 70 Calculations." He stated that the Governor's Chapter 70 formula is simplified from the previously used formula; and does not to begin to address some of the inequities of the prior system. Under the new formula the Chapter 70 aid that we receive is the gap between our established "local effort" and our "foundations" budget calculation. The latter is determined by the state using our enrollment and certain demographic estimates.

The Town's local effort is calculated upon a combination of our "Base Local Effort" which is derived from our prior year contribution adjusted (downward) by our municipal revenue growth factor; and our "ability to pay" as determined by a target rate of $6 per $1,000 of our adjusted equalized property value.

In our case our Base Local Effort exceeds our calculated ability to pay. Accordingly, our required local effort is reduced. One effect of this calculation is that the current difference between our required net school spending and our actual spending grows even further, indicating a substantial local contribution to our schools.

I have attached a spreadsheet which attempts to detail an analysis of the Chapter 70 calculations. By way of comparison for the Chelmsford Public Schools our FY03 required net school spending (NSS) was $41,066,234, while our actual net school spending was $43,083,895, a difference of $2,017,661. With a decrease in our required net school spending of $2,925,852 and our school budget effectively level-funded, the difference between NSS and our actual spending grows to about $4.7 million.

There being no further business before the Board, Selectman Eliopoulos motioned to go into Executive Session for the purpose of discussing collective bargaining, seconded by Stuart Weisfeldt. The Board voted by roll to go into Executive Session. The regular meeting adjourned at 7:45 p.m.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, April 22, 2002 at 7:00 p.m.

Respectfully submitted,

Bernard F. Lynch

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

April 14, 2003

7:00 p.m. **Call to Order - Pledge of Allegiance**

7:00 p.m. **Joint Meeting Board of Selectmen, School Committee & Town Moderator**
- Appointment to Nashoba Valley Technical School Committee

Public Service Announcements
- Proclamation: Arbor Day, Joyce Ringleb, Chelmsford Garden Club
- Town Wide Clean Up: Kathy Bell, Waste Coordinator
- Support our Troops Rally: Tom Christiano
- Chelmsford High School Mock Trial Team

Minutes of BOS Meetings
- Board of Selectmen: January 27, 2003
  February 10, 2003
  February 14, 2003
  March 3, 2003
- Executive Session: March 3, 2003

Open Session

Town Manager Reports

Town Manager Appointments
- Local Emergency Planning Committee

Town Manager Bids/Contract Awards

Scheduled Business

7:15 p.m. Representative Cory Atkins – Legislative Update

7:30 p.m. Dog Hearing: Owner – Richard Nagle, 75 Old Stage Road
Complainant – Edward Micu, 77 Old Stage Road

7:45 p.m. Applications for Change in Manager:
1. Roslyn Shops
   (Ground Round Restaurant)
   185 Chelmsford Street, and
2. PKS Realty, d/b/a Best Western
   187 Chelmsford Street

** This meeting is televised. **

Scheduled Business (Cont'd)

7:55 p.m. Application for Transfer of Class II Auto Dealer License: John Santoro
Winner's Circle Auto Sales II
65 Tyngsboro Road

8:00 p.m. Application for Common Victualer License: Joanne's Kitchen
257 Littleton Road

Unscheduled Business

- Review Town Meeting Warrant
- BOS Vote: Change in Liquor Regulations

Selectmen Referrals

Press Questions

Executive Session

Next Meeting: To Be Announced

*** This meeting is televised. ***

BOARD OF SELECTMEN MEETING MINUTES

APRIL 14, 2003

A regular meeting of the Board of Selectmen was held on April 14, 2003 at the Town Offices beginning at 7:00 pm. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

JOINT MEETING BOARD OF SELECTMEN, SCHOOL COMMITTEE & TOWN MODERATOR

Appointment to Nashoba Valley Technical School Committee

The Joint meeting, moderated by Dennis McHugh was called to order. The purpose of the joint meeting was to appoint a member to the Nashoba Valley Technical School Committee. Mr. McHugh said two candidates had expressed interest in the appointment; Stratos Dukakis and Ralph Hulslander. Mr. Hulslander is currently an alternate on the Nashoba Valley Technical School Committee. The candidates took the podium in turn and sited their experience and interest in education. Both feel the biggest issue is the declining enrollment and retention.
Selectman Dalton nominated Ralph Hulslander and Selectman Moran seconded.
Selectman Weisfeldt nominated Stratos Dukakis and Selectman Eliopoulos seconded.
Ralph Hulslander was appointed to the Nashoba Valley Technical School Committee by a hand-vote of 6 to 4.
For the purposes of discussion, Selectman Eliopoulos inquired whether it would be appropriate to nominate Mr. Dukakis to the position of alternate. Mr. McHugh pointed out that the position would need to be advertised and then come back for a future vote.

PUBLIC SERVICE ANNOUNCEMENTS

Proclamation: Arbor Day, Joyce Ringleb, Chelmsford Garden Club

Joyce Ringleb came before the Board on behalf of the Chelmsford Garden Club to accept a proclamation declaring April 25th Arbor Day. The community is urged to come out and commemorate the day by attending a tree planting ceremony at the Garrison House. A "Sweet Winesap" apple tree will be planted.

Town Wide Clean Up: Kathy Bell, Waste Coordinator

Kathy Bell came before the Board to announce the annual Town Wide Clean-Up to be held Saturday, May 3, 2003 at 9:00 a.m. Following the clean up the Elks will host lunch. Volunteers are encouraged to contact Recycling Office to sign up.

Support Our Troops Rally: Tom Christiano

Tom Christiano urged the community to come out and honor those serving in Operation Iraqi Freedom with a rally on Saturday, April 26th on the Town Common. The rally will start with a mini parade, and feature songs and as well as speeches by local veterans. A rain date of May 3 has been set.

Chelmsford High School Mock Trial Team

The Board presented certificates of congratulations to the members of the High School Mock Trial Team. The team won the state championship and is on the way to the finals in New Orleans.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETINGS

Selectman Eliopoulos made a motion to approve the minutes from the meetings of January 27, February 10, and February 14, 2003 and March 3, 2003; and the executive session of March 3, 2003. Motion seconded and approved unanimously.

OPEN SESSION

Support Our Schools - Karen DeDonato

Karen DeDonato stated that if the community plans to address the needs of the secondary schools action is needed quickly. If the SBA moratorium is lifted the community needs to be in a position to act. She requested the Boards champion a plan and support the children of the community.
Mr. Lynch said he had the opportunity to speak with Mrs. DeDonato and agreed that the schools have needs that need to be addressed. Several architectural firms have been spoken to regarding changes in the SBA program and ideas for construction.

SCHEDULED BUSINESS

Representative Cory Atkins – Legislative Update

Rep. Cory Atkins came forward to present the current budget outlook for the State. She suggested the possibility of twenty percent cuts. She said the House budget would be released the April 30th. She discussed the administration's philosophy that the most stable revenue stream is property tax and most able to bear an increase. A major debate is over whether services should be paid with broad base taxes or local taxes. Selectman Eliopoulos pointed out that reducing aid is pushing the burden down to the local level.

Rep. Atkins went on to discuss the letter written by the House Ways and Means Committee Chair John Rogers. The letter criticized the governor's budget as unrealistic and full of holes. The Board thanked Rep. Atkins for coming in and encouraged her to continue to support local communities.

Dog Hearing: Owner – Richard Nagle, 75 Old Stage Road, and Complainant – Edward Micu, 77 Old Stage Road

Edward Micu, 77 Old Stage Road came before the Board to complain about his neighbor's barking dog. He stated that the incessant barking has been a problem for the past two years. He has complained on a number of occasions to the dog officer and to the police. Four reports have been filed concerning the dog. Mr. Micu went on to say the dog is kept on a chain in the front of the house and the dog barks at everything that passes by. He finds the situation to be intolerable to both himself and his family. The Board inquired as to whether Mr. Micu had retained counsel. Mr. Micu replied that he had.

Chief Ray McCusker stated that there was a record of four different complaints. On January 4, 2003 the Nagle's were sent a letter alerting them to the seriousness of the situation and possibility of further action. The situation remained unresolved and the police were summoned to 75 Old Stage Rd. on March 21. Chief McCusker recommended the possibility of a bark collar.
Rich and Debbie Nagle came forward to respond to the complaint. Mrs. Nagle stated that Mr. Micu hadn't talked to them directly about their dog. She went on to say that he had shouted and screamed at them but hadn't actually talked to them. They have been practicing behavior modification with the dog. If the dog barks while outside they go immediately to the dog and either bring him in or hold the dog so it stops barking. They feel the training has had success. They went on to say that they don't leave the dog unattended. They are working with the dog to modify its barking.
The Board recommended no action be taken at this time. Selectman Dalton made a motion to take no action unless there are further complaints. Motion seconded. Motion passed by a vote of 4 – 1, with one abstention. (Selectman Moran abstained)

Applications for a Change in Manager: Roslyn Shops (Ground Round Restaurant) 185 Chelmsford St. and PKS Realty, d/b/a Best Western, 187 Chelmsford St.

Atty. Doug Hausler, on behalf of the Roslyn Shops and PKS Realty, came before the Board for a Change in Manager for the Ground Round Restaurant and the Best Western. Thomas Fair, the proposed manager was also in attendance. Mr. Fair stated that he is TIPS certified and currently going through the Bar Code program.
Selectman Eliopoulos made a motion to approve a Change in Manager for Roslyn Shops d/b/a Ground Round Restaurant, 185 Chelmsford St. and PKS Realty, d/b/a Best Western, 187 Chelmsford Street to Thomas Fair, 8 Naugatuck Ave., Norfolk, MA. Motion seconded and approved unanimously.

Application for Transfer of Class II Auto Dealer License: John Santoro, Winner's Circle Auto Sales II, 65 Tyngsboro Road

John Santoro came before the Board seeking a Transfer of Class II Auto Dealer License to Winner's Circle Auto Sales II, 65 Tyngsboro Road. Mr. Santoro is looking to expand his business with an annex at the new location. The parameters of existing license of the existing license would remain. Motion seconded and approved unanimously.

Application for Common Victualer License: Joanne's Kitchen, 257 Littleton Rd.

Miguel Pirres, 47 Chestnut St. Leominster came before the Board seeking a Common Victualer License for Joanne's Kitchen, 257 Littleton Rd. The building inspector and the fire inspector signed off on the license. Selectman Eliopoulos made a motion to approve the Common Victualer License for Joanne's Kitchen, 257 Littleton Rd. for the hours of operation on weekdays from 5:30 am – 8 pm and Sundays from 6 am – 2:30 pm. Motion seconded and approved unanimously.

UNSCHEDULED BUSINESS

Review Town Meeting Warrant

The Town Manager presented the Town Meeting Warrant for the Board's approval. Selectman Eliopoulos made a motion to approve Warrant Articles 1-17. Motion seconded and articles approved unanimously.
Selectman Eliopoulos made a motion to approve Article 19. Motion seconded and approved unanimously.
Selectman Eliopoulos made a motion to accept Article 23. Motion seconded and approved unanimously. The remaining Warrant Articles would be held until Town Meeting.

BOS Vote: Change in Liquor Regulations

Selectman Eliopoulos made a motion to approve modifications to the liquor regulations to section 1.27. Motion seconded and approved unanimously.

REFERRALS

- Selectman Dalton thanked the Board and the rest of the community for their support for his election bid.
- Selectman Eliopoulos reported that a resident on Concord Rd. had complained that drainage work done on an abutting property was draining onto her property. Mr. Lynch said he would investigate through D.P.W. and the Building Inspector.
- Selectman Eliopoulos thanked the residents for their support. He went on to say that it was great to be in a competitive race.
- Selectman Moran passed on residents' concerns regarding the lighting on Route 3 and 495.
- Selectman Moran requested the area around a towing area on 110 be addressed. The Town Manager said the area had been investigated by the Building Inspector and found to be within their site plan. However, he would continue to look into the problem.
- Selectman Weisfeldt reported that the Chelmsford Commission on Disability would be rewarding a Scholarship to qualified seniors in Chelmsford.
- Selectman Weisfeldt questioned the Chapter 40B development where the Banqueteer had been located. The building height was questioned.
- Selectman Weisfeldt congratulated the Swim Team on their recent State championship.
- Selectman McCall requested that all Town Meeting Representatives fill in their contact forms. The Town Manager went on to explain that the website had been updated, and that the e-mail addresses of Town Officials was a key component of the change.

NEXT REGULAR MEETING

The next regular meeting is scheduled for Monday, April 28, 2003 at 7:00 pm. The Board voted by roll to go into executive session for the purpose of discussing collective bargaining. There being no further business the regular meeting adjourned at 10:20 pm.

Respectfully submitted,

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES
April 22, 2003

A meeting of the Board of Selectmen was held at the Town Offices on April 22, 2003 beginning at 4:50 p.m. Selectmen present were Philip Eliopoulos, Michael McCall, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and Charles Mansfield, Treasurer.

The purpose of the meeting was to approve the sale of $7,000,000 Bond Anticipation Notes of the Town dated April 24, 2003, payable April 22, 2004 at par and accrued interest plus the premiums indicated as follows:

Number	Denomination	Interest Rate	Premium	Purchaser
1	$4,000,000	1.625%	$19,520.00	Sovereign Securities Corporation, LLC
2	$3,000,000	3.00%	$55,761.41	State Street Global Markets, LLC

Selectman Eliopoulos made a motion to approve the sale of the Bond Anticipation Notes. Selectman Weisfeldt seconded the motion. Motion passed unanimously.

The borrowing is to fund construction of Town sewers.

It was further voted that the consent dated April 16, 2003 to the financial advisor bidding for the note is hereby confirmed.

Mr. Lynch stated that the Town has received very good reports from Moody's and Standard & Poor's, earning a rating of Aa 3 from Moody's. They indicated that they were impressed with the way the Town is managing its funds, and the careful planning that had gone into the proposed use of the Stabilization Fund.

There being no further business, the meeting adjourned at 5:00 p.m.

Respectfully submitted,

Janet Murphy

Janet Murphy

I, the Clerk of the Board of Selectmen of the Town of Chelmsford, Massachusetts, certify that at a meeting of the board held April 22, 2003, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appears upon the official record of the board in my custody:

Voted: to approve the sale of $7,000,000 Bond Anticipation Notes of the town dated April 24, 2003, payable April 22, 2004, at par and accrued interest plus the premiums indicated as follows:

Number	Denomination	Interest Rate	Premium	Purchaser
1	$4,000,000	1.625%	$19,520.00	Sovereign Securities Corporation, LLC
2	$3,000,000	3.00%	$55,761.41	State Street ~~Capital~~ Global Markets, LLC

Further Voted: that the consent dated April 16, 2003 to the financial advisor bidding for the note is hereby confirmed.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date and time of the meeting was filed with the Town Clerk and a copy thereof posted in the office of the Town Clerk or on the principal official bulletin board of the town at least 48 hours, including Saturdays but not Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the notes were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L. c.39, s.23B as amended.

Dated: April 22, 2003

Clerk of the Board of Selectmen

BOARD OF SELECTMEN MEETING MINUTES

APRIL 28, 2003

A regular meeting of the Board of Selectmen was held on April 28, 2003 at the Senior Center beginning at 7:00 pm. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

SCHEDULED BUSINESS

Public Hearing: Street Acceptances – Meetinghouse Road

Meetinghouse Road is a commercial area off of Fletcher St., which has been 100% built for some time. Selectman Eliopolous made a motion to approve Meetinghouse Road as a public way. Motion seconded and approved unanimously.

Public Hearing: Street Acceptances – Justin Road

Justin Road is a residential area off of Stage Road. Selectman Eliopolous made a motion to approve Justin Road as public way. Motion seconded and approved unanimously.

TOWN MANAGER REPORTS

Nashoba Valley Technical SchoolBudget

The Board and Town Manager discussed the Nashoba budget. Nashoba has asked for $1.2 million and an additional $109,000 from Chelmsford. The Town Manager recommended that the school receive $850,000, which adds 3% to the minimum and 3% to transportation. Westford has said they will support the higher number while five other communities will go with the lower figure. The Board discussed the matter further.

NEXT REGULAR MEETING

The next regular meeting is scheduled for Monday, May 19, 2003 at 7:00 pm. There being no further business the regular meeting adjourned at 7:20 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

May 19, 2003

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- CHS Boys Swimming & Diving Team – Division 1 State Champions

Minutes of BOS Meetings
- Board of Selectmen: April 14, 2003
- Executive Session: April 14, 2003

Open Session

Town Manager Reports

Town Manager Appointments
- Board of Appeals Alternate

Town Manager Bids/Contract Awards

Scheduled Business

7:30 p.m. Water District Annual Update

8:00 p.m. Utility Petition: Drum Hill Road & Wesley Street - Place and Remove Poles

8:05 p.m. Utility Petition: Graniteville Road - Place One Pole

8:10 p.m. Utility Petition: Proctor Road - Place Underground Conduit

Unscheduled Business
- Application for Athletic Carnival Fund Raiser
  CHS All Sports Booster Club
- STOP Sign at Jensen Avenue at Linwood Street
- Livery Road/Chestnut Hill Area – Phase 4E Sewers
  Orders of Takings

Selectmen Referrals

Press Questions

Executive Session

Next Meeting: June 9, 2003

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES

MAY 19, 2003

A regular meeting of the Board of Selectmen was held on May 19, 2003 at the Town Offices beginning at 7:00 pm. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

PUBLIC SERVICE ANNOUNCEMENTS

CHS Swim Team

The following members of the Chelmsford High School Swim Team were presented with certificates of appreciation recognizing the team's state championship:

David Scaplen, Coach	Ryan Stoddard, Asst. Coach
Dave Wilson	Andrew Holmes
Craig Vitale	Matt Lovet, Captain
Peter Tracy	Daniel Mandell
Peter Demaris	Greg Maynard
Dave Benedict	Matt Murphy
Jack Carlson	Andrew Pares
Matt Dadinsky	Kent Riordan
Matt Freitas	Eric Sullivan
Robert Garahan	Sean Sullivan
Peter Gollands	

Team members unable to attend would also receive certificates. Coach David Scaplen thanked the Board for their recognition of the team's achievement and hard work. He went on to thank the Booster Club for its support.

OPEN SESSION

Memorial Day Parade – Jim Gifford

Jim Gifford was pleased to read a letter from Captain Matthew S. Henry, USAF Commander, confirming his acceptance of an invitation to march in the Memorial Day Parade to be held on May 26 at 10 am. Mr. Gifford has been trying for a number of years

to schedule an appearance of the Air Force Band of Liberty out of Hanscom Air Force Base in the Fourth of July Parade. Mr. Gifford urged the community to show its support and patriotism by attending the parade.

BOS Minutes – April 14, 2003 and ES April 14, 2003

Selectman Eliopoulos made a motion to approve the minutes from the meetings of April 14, 2003 and the executive session held on April 14, 2003. Motion seconded and approved unanimously.

TOWN MANAGER REPORTS

Police Station Opening

The police station held a well-attended open house over the weekend. The Board inquired about the future of the old police station. The Town Manager said there were preliminary plans to use it temporarily to accommodate the expanding needs of the Sewer Division of the DPW. The Sewer Division has a clerical and maintenance staff and is outgrowing its current location. Eventually there are plans to have a centralized facility for both the sewer division and the DPW. In the interim, the old police station would be retrofitted to provide space for the sewer division and some equipment.

In addition the Town plans to move to a three-fire station model as opposed to the current five-station model. The current location of the old police station would be a good location for a new fire station. In the next six months or so the Town Manager said a committee would be set up to start the fire station process. The Board agreed that the time was right to start laying the groundwork for such a project.

Snow Removal

Chelmsford is eligible to receive $150,000 from FEMA for snow removal. This helps to defray the overages for snow removal for the season. Snow removal remains over budget by $300,000.

Center Construction

Construction to the Center will begin in the next couple of weeks, reported the Town Manager. Engineers MHD have been out laying the site lines. The timing works out well to correspond with the decrease in traffic during the summer months.

Selectman Moran reported a complaint from a resident regarding the absence of curbside handicap parking downtown. The Town Manager would follow up and see where appropriate parking could be located.

Alambique

The Town Manager reported the ABCC has come back with its findings on the appeal filed by The Alambique Lounge. The ABCC declined to take into consideration the

hours, which upholds the change in hours, voted on by the Board. The Alambique will be notified of the change. The other disciplinary actions are under review.

SCHEDULED BUSINESS

Water District Annual Update

George Allen of Dufresne-Henry came before the Board on behalf of the Center, North and East Water Districts to present the annual update. Mr. Allen thanked the residents for their efforts in adhering to the water program. There has been a 19% reduction in water use between the summers of 1999 and 2002. This is a testament to the public's conscientious water use.

Mr. Allen went on to discuss improvements being made to the district pipeline. This will increase the district supply by thirty-three percent. The Board and Town Manager questioned Mr. Allen on the apparent shift in focus away from seeking access to the Merrimack River. Mr. Allen replied that the districts were concentrating on improving the existing infrastructure and increasing water capacity. An increase in water supply would postpone the need to go to the Merrimack River. In addition, Madeline Morris of the DEP has said river access would not be granted until a community had exhausted all other possibilities.

Gary Kinney of the East Chelmsford Water District reported on recent improvements and a positive report from the DEP. A recent donation of land has given the district access to the Concord River. Security has become a big priority for all areas.

Selectman Moran requested the use of a recycling system by Cintas be verified as the water use seems very high for this particular business. Mr Harrington said he would look into it. The Board questioned why, given the amount of rain, there was still a need for a water ban. Mr. Harrington said that this was not a ban per se, but rather an ongoing program of water conservation.

Utility Petition: Proctor Road – Place Underground Conduit

Kathy Frazier of Verizon came forward to request approval for pole placements in and around Wesley St. and Drum Hill Road for the Route 3 construction project.

Selectman Eliopolous made a motion to approve the placement of poles detailed in Plan #995 to place two poles on Drum Hill Road and remove one pole and to remove and replace one pole on Wesley St. Motion seconded and approved unanimously.

Selectman Eliopolous made a motion to approve plan #996 pending the approval of a tree consultant. Motion seconded and approved unanimously.

Pole Report

Ms. Frazier reported on a new web-based pole tracking system. Jim Sousa from the Fire Department is coordinating with Mass Electric.

TOWN MANAGER APPOINTMENTS

Board of Appeals – Alternate

The Town Manager appointed Leonard Richards as an alternate to the Board of Appeals for a three-year term to fill the position vacated by John Thibault. Selectman Eliopolous made a motion to accept and approve the appointment of Leonard Richard, 2 Hart Road as an alternate to the Board of Appeals for a three-year term. Motion seconded and approved unanimously.

Joint meeting

Selectman McCall suggested having a joint meeting with the School Committee and Finance Committee to discuss the future of a school improvement project. The Board recommended a late June or early July meeting in a work session format.

UNSCHEDULED BUSINESS

Application for Athletic Carnival Fund-Raiser: CHS All Sports Booster Club

Selectman Eliopolous made a motion to approve the application for a carnival fundraiser to be held May 22 - 25 from 6 pm – 10 pm Thursday and Friday, 6 pm – 11 pm Saturday, and Sunday 12 Noon – 6 pm. Motion seconded and approved unanimously.

STOP Sign at Jensen Avenue at Linwood Street

Selectman Eliopolous made a motion to approve the placement of a "Stop" sign at the corner of Jensen at Linwood subject to the Police department signing off. Motion seconded and approved unanimously.

Livery Road/Chestnut Hill Area – Phase 4E: Orders of Taking

Selectman Eliopolous made a motion to approve the Phase 4 E orders of sewer takings (20 takings). Motion seconded and approved unanimously with one abstention.

SELECTMEN REFERRALS

- Selectman Dalton commented positively on the Police Department open house and Student Government Day.

- Selectman Eliopolous confirmed that there would be barriers in place at the Harrington fields and Simonian stadium. Modern Continental was also looking into guardrails. Selectman Eliopolous suggested that John Greeley and Mary Carrier be invited in to a future meeting to provide an update on the project. Sound barriers were approved for all areas initially slated to receive one.

- Selectman Eliopolous asked the Town Manager to clarify a memo from Dr. Moser regarding personnel software. Mr. Lynch said the Town was considering bringing

the payroll system in house. Currently, the Town and School have its own personnel system. Duplicating the systems in both the School and Town could prove to be costly and inefficient.

- Selectman Moran suggested that placards be put out on some of the crosswalks. The Town Manager replied that many of the existing placards has either been removed or destroyed. The Town is considering raising some of the crosswalks in some locations.

- Selectman McCall commented on a small community forum with Lt. Governor Healy he had recently attended. All of the attending communities shared similar concerns for the SBA, local aid, Chapter 70, Chapter 40B, unfunded mandates and the retirement system.

- Selectman McCall requested a street sweeping update. The Town Manager replied that street sweeping should be complete by June.

NEXT REGULAR MEETING

The next regular meeting is scheduled for Monday, June 9, 2003 at 7:00 pm. There being no further business the regular meeting adjourned at 9:15 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

June 3, 2003

<u>12:00 Noon</u>

I. Approve Bond Sale

II. D.P.W. Bid Awards

III. MIIA Health Insurance Contract

IV. July 4 Vendors

V. Solomon Mental Health Center Resolution

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

June 9, 2003

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- ATEF Grant Recipients

Minutes of BOS Meetings
- Board of Selectmen: March 12, 2003
  April 22, 2003

Open Session

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

Scheduled Business

7:30 p.m. Mass Electric Petition: Excavate Road and Place Underground Conduit
Graniteville Road and Archambault Way

Unscheduled Business
- Selectmen Liaison Assignments

Selectmen Referrals

Press Questions

Executive Session

Next Meeting: June 23, 2003

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES

JUNE 9, 2003

A regular meeting of the Board of Selectmen was held on June 9, 2003 at the Town Offices beginning at 7:00 pm. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

PUBLIC SERVICE ANNOUNCEMENTS

ATEF Grant Recipients

George Ripsom came before the Board on behalf of the Arts and Technology Education Fund. The fund was established in 1996 to provide grants for educational programs. The fund has amassed close to $60,000 in donations and awarded over $30,000. A total of $4,663.13 was awarded this year. Mr. Ripsom introduced Ed Morassi, chair, who presented awards to the following:

Project	Recipients
Home Reading Program	Peggy Pappafagos-Byam
Integrating Fine Arts with Computer Technology	Teresa Karangioze-Parker
Conversation Scrapbooks	Lisa Curran-McCarthy
CAD Plotter & Accessories	Doug Greenfield & John King – Chelmsford High
Making Writing Tasks More Accessible	Susan Thompson-Francisco & Nancy Vonderlinden – South Row
South Row Publishing Center	Sarah Hardy & Cheryl Pulkowski – South Row
Science Observation Kits	Amy Heusinkeld-McCarthy

OPEN SESSION

Charles Mullen, 65 Newfield St., Fire Department

Charles Mullen inquired about the current staffing levels of the Fire department. The Town Manager responded that the current level was at 45 to be supplemented with an additional three. Overtime has been cut back to bring numbers up to 48. Mr. Mullen went on to ask if any station closures were on the horizon. Mr. Lynch responded that barring any unforeseen injuries or retirements, closures were not planned.

Selectman Moran commented that one benefit to a centralized station would be to the minimum manning issue. Currently, the stations are manned by two firefighters. Having equipment and manpower at a centralized station would provide for good response time and increased effectiveness. Selectman Dalton also mentioned that the floor of the Center Station is strained from the weight of the trucks and equipment. Mr. Lynch added that while the station is currently structurally stable, the foundation continues to crack after patching, which allows water to permeate, furthering damage to the structure.

Mr. Mullen asked Selectman Dalton, given his experience as a firefighter, if in his opinion 48 firefighters were enough. Selectman Dalton replied that he would like to see four on a truck as ideal, but recognized that there were budget constraints and state funding cuts across the board.

BOS Minutes – March 12, 2003 and April 22, 2003

Selectman Eliopoulos made a motion to approve the minutes from the meetings of March 12 and April 22, 2003. Motion seconded and approved unanimously.

SCHEDULED BUSINESS

Public Hearing: Mass Electric Petition-Excavate Road and Place Underground Conduit Graniteville Road and Archambault Way

David Aguiar, Mass Electric came before the board seeking permission to install two conduits on Graniteville Road and Archambault Way.

Selectman Eliopolous made a motion to approve the Mass Electric Plan A818 to excavate Graniteville Road. Motion seconded and approved unanimously.

Selectman Moran requested that some aesthetic work be done to the transfer station across from Skip's. Mr. Aguiar responded that Jill Fitzpatrick would look into it.

UNSCHEDULED BUSINESS

Selectman Liaison Assignments

Selectman McCall requested the Board look over the liaison assignments and choose those of interest. He would then assign them. Selectman Moran suggested appointing Jim Good to the LRTA. The Board agreed.

Selectman Eliopolous moved that Jim Good be appointed to the LRTA . Motion seconded and approved unanimously.

TOWN MANAGER REPORTS

Budget

A state budget could be agreed upon by the following week, reported the Town Manager. More school aid could be picked up in the Senate version. Both the House and Senate versions fund the special education reimbursement at higher than the current rate.

Joint Meeting

Mr. Lynch reported that the scheduling of a joint meeting between the Board, School Committee and Finance Committee to discuss the future of school projects has proven difficult. The initial date of July 2 proved unworkable due to vacations. He would continue to work the schedules in an effort to put a work session together by the end of July. The Board stressed the importance of meeting soon.

SELECTMEN REFERRALS

- Selectman Dalton reminded the Board of the need to schedule the Nashoba Tech alternate appointment for an upcoming meeting.

- Selectman Dalton mentioned the possibility of Billerica obtaining grant money to purchase open space to join the Chelmsford Town Forest and the Billerica Town Forest. The Town Manager said that title issues could hold up such a grant.

- Selectman Eliopoulos provided an update on the sound barriers. The pressure put upon the State and Modern Continental by the Board and Town Manager initiated retesting and has gotten more barriers for the area. Alternatives are being sought for those neighborhoods that didn't meet the sound threshold for barriers.

- Selectman Eliopolous reported being pleased that School Department bus fees are on hold for the time being. He pointed out that it was unfair to penalize some families.

- Selectman Moran requested an update on the Center. The Town Manager said construction would begin this summer. He went on to say that the best locations for handicapped parking were being identified. Selectman Moran suggested that the intersection include audibles at the crosswalks. The Town Manager said that Jim Pearson was looking into it.

- Selectman Weisfeldt asked about Nashoba Valley Tech funding. The Town Manager replied that they seemed to be in the minority in supporting the lower number.

- Selectman McCall said the Community Preservation Committee was looking to coordinate site walks on some properties they've expressed an interest in.

The next regular meeting is scheduled for Monday, June 30, 2003 at 7:00 pm. There being no further business the regular meeting adjourned at 8:35 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

June 30, 2003

Location of Meeting: Chelmsford Police Station
(Community Meeting Room)
2 Olde North Road

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

Minutes of BOS Meetings
- Board of Selectmen: April 3, 2003
- Executive Session: April 3, 2003

Open Session

Town Manager Reports

Town Manager Appointments
- Annual Appointments

Town Manager Bids/Contract Awards
- Refurbish Rescue Truck – CFD
- Chelmsford Forum

Scheduled Business

7:30 p.m. Public Hearing: Application for Change in Officers and Directors
Bertucci's Restaurant, 14 Littleton Road

7:50 p.m. Public Hearing: Petition of MCIMetro Access to Place Conduit (Aboveground and Underground), Various Locations

7:55 p.m. Public Hearing: Petition of MCIMetro Access to Excavate (North Road and Littleton Road) and Place Conduit

8:00 p.m. Alambique Lounge: ABCC Decision

8:10 p.m. Public Hearing: Application for Common Victualer License
Panera Bread, 66 Parkhurst Road

** This meeting is televised. **

8:15 p.m. Public Hearing: Application for Common Victualer License
Adams Corner Variety, Vinal Square

Unscheduled Business

- BOS Vote: EPA Storm Water Permit – Presentation by J. Pearson and S. Jahnle, Chelmsford D.P.W.
- BOS Vote: Approval of Vendor (Camp Paul) for July 4 Parade
- BOS Vote: Adopt Updated Sexual Harassment Policy & Procedures
- BOS Appointments: Town Counsel, Capital Planning Committee

Selectmen Referrals

Press Questions

Executive Session

Next Meeting: July 21, 2003

*** This meeting is televised. ***

BOARD OF SELECTMEN MEETING MINUTES

June 30, 2003

A regular meeting of the Board of Selectmen was held on June 30, 2003 in the Community Meeting Room at the Police Station beginning at 7:00 pm. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

OPEN SESSION

Route 3 Update

John Greeley, Modern Continental and Mary Carrier, Mass Highway updated the Board and community on the progress of the Route 3 Project. Mr. Greeley said the southbound lane was nearly complete from Drum Hill to Westford Road. In order to complete the widening in this area a few bridges will need to be demolished. He went on to say that he recognized the community's concern for the completion of the Drum Hill Rotary. If all went well, he indicated that the new square would be completed by Labor Day.

Train Station

Charles Mullen, 65 Newfield Street inquired about the progress of the train station in Vinal Square. The Town Manager said the MBTA has it on a long range plan, but in all likelihood it would take a few years to get off the ground. Mr. Mullen expressed concern over the possibility of small businesses within the station. The fear is that such business would divert business from the existing establishments. Mr. Lynch responded that there weren't many stations that maintained such businesses. A more likely scenario would be an increase in business to local establishments. Selectman Moran said that he strongly supported a station in Vinal Square and agreed that it would bring in more business than it would take away.

BOS Minutes – April 4, 2003

Selectman Eliopoulos made a motion to approve the minutes from the meetings of April 4, 2003. Motion seconded and approved unanimously.

TOWN MANAGER APPOINTMENTS

Annual Appointments

Selectman Eliopoulos made a motion to approve the Town Manager Annual Appointments for 2003 as read by the Town Manager. Motion seconded and approved unanimously.

TOWN MANAGER BIDS/CONTRACT AWARDS

Refurbish Rescue Truck – CFD

The Town Manager requested the Board approve his bid award to refurbish rescue truck 1 to New England Auto Engineering for $17,972.22.

Selectman Eliopoulos made a motion to approve the bid award to New England Auto Engineering for the amount of $17,972.22 for the purpose of refurbishing the rescue truck. Motion seconded and approved unanimously.

Chelmsford Forum

The Town Manager requested the Board approve his contract award to Facility Management Corporation for the management of Chelmsford Forum. FMC has managed the Forum since the start. The Forum has experienced 11% growth since FMC has been managing it. The Forum generates between $80,000-90,000 a year in revenue that is held in an account for capital projects.

Selectman Eliopoulos made a motion to approve the contract award to FMC for a three-year contract with an option for an additional two, at the Town's discretion. Motion seconded and approved unanimously.

TOWN MANAGER REPORTS

Budget

The Town Manager reported that FY 2003 should end up in the black. Revenues came in basically as projected. There was an increase in building permit fees. There are still major concerns for 2004.

Central Square Project

The Town Manager reported that the project is moving forward with construction beginning the following week.

Joint Meeting

Mr. Lynch said he would be meeting with the School department the next day. The school would be provided some space in the old Police station on the short-term basis. He also hoped to discuss the possibility of combining certain aspects data processing and facility maintenance.

North Town Hall

Mr. Lynch reported having received a petition from Trish Kahl in support of making renovations to the North Town Hall. It was hoped that some of the Community Preservation funds could go towards the project.

SCHEDULED BUSINESS

Public Hearing: Application for Change in Officers and Directors, Bertucci's Restaurant, 14 Littleton Road

Renee Leblanc came before the Board seeking approval for a change in officers and directors for Bertucci's Restaurant, 14 Littleton Road.

Selectman Eliopoulos made a motion to approve the Change in Officers and Directors for Bertucci's Restaurant, 14 Littleton Road.

Public Hearing: Petition of MCI Metro Access to Place Conduit (Aboveground and Underground), Various Locations

Selectman Eliopolous made a motion to approve a petition brought forward by MCI Metro Access to Place conduit both above and underground at various locations, outlined in a plan dated June 27, 2003. Jim Pearson approved the plan. Motion seconded and approved unanimously.

Public Hearing: Petition of MCIMetro Access to Excavate (North Road and Littleton Road) and Place Conduit

Selectman Eliopolous made a motion to approve a petition brought forward by MCI Metro Access to excavate North Road and Littleton Road and place conduit. Motion seconded and approved unanimously.

Alambique Lounge: ABCC Decision

Attorney Dan Wilkins came before the Board representing the Alambique Lounge. Also present was Ms. Euriene Rodriquez owner of the Alambique Lounge. The Town Manager provided background on the issue. The Alambique appealed a five-day suspension of their license. The ABCC has returned a decision approving the Board of Selectman's action regarding violations at the Alambique. The ABCC has recommended the five days be consecutive. Chief McCusker reported the Criminal Bureau had investigated and found through interview and observation that the Alambique was open Thursday through Sunday. These hours of operation prohibit five consecutive days. Mr. Wilkins interjected that the Alambique had recently started opening on Wednesdays. He recommended on his client's behalf that the suspension go from Wednesday through Sunday.

Selectman Eliopoulos made a motion to the findings of fact that the Police Department's investigation did not find that the establishment is open five consecutive days a week, despite the owners assertion that the establishment had started opening on Wednesday. Motion seconded and approved unanimously.

Mr. Wilkins requested that if the Board did recommend a weekend closure that there be a three-week lead time to notify and prepare the staff.

Selectman Eliopolous moved to modify the decision set forth by the ABBC and recommend the closure of the Alambique Lounge for the dates of July 17, 18, 19 and July 25 and July 26th. Motion seconded and approved unanimously.

Public Hearing: Application for Common Victualer License Panera Bread, 66 Parkhurst Road

Daniel Brennan came before the board seeking a Common Victualer license for Panera Bread, 66 Parkhurst Road for the operating hours on weekdays from 6:30 am – 9:00 pm and Sundays from 6:30 am – 9:00 pm.

Selectman Eliopoulos moved to approve the Common Victualer license for Panera Bread, 66 Parkhurst Rd subject to an ADA compliance review. Motion seconded and approved unanimously.

Public Hearing: Application for Common Victualer License Adams Corner Variety, Vinal Square

Selectman Eliopoulos made a motion to continue this application for a Common Victualer license to a later meeting as a representative was not present. Motion seconded and approved unanimously.

UNSCHEDULED BUSINESS

Phase II Five-year Stormwater Management Plan

Jim Pearson came before the Board to go over the EPA Federal Stormwater Management plan. Municipalities must apply for a discharge permit every five years and have a plan in place. The plan comprises the following area: education, public participation, the posting of bylaw, municipal good housekeeping and discharge construction. The goal is to keep the storm water runoff clean because everything a community does ultimately ends up in the streams and waterways.

Selectman Eliopolous made a motion to approve the five-year Stormwater Management plan. Motion seconded and approved unanimously.

4th of July Parade – Additional Vendor

Selectman Eliopolous made a motion to approve the DePaul Center as an additional vendor to the Fourth of July Parade. Motion seconded and approved unanimously.

Sexual Harassment Policy

Selectman Eliopolous made a motion to approve the revised version of the Sexual Harassment Policy and Procedures for Town employees. Motion seconded and approved unanimously.

Town Counsel

Selectman Eliopolous made a motion to approve the appointment of Kopelman and Paige to Town Counsel for a one-year term. Motion seconded. The Board inquired as to what

the fee was. Mr. Lynch replied that it was $130 an hour. Motion seconded and approved unanimously.

Capital Planning Committee

Selectman Eliopolous made a motion to approve the appointment of Dennis Bak and John Morrison to the Capital Planning Committee for a one-year term. Motion seconded and approved unanimously.

SELECTMEN REFERRALS

- Selectman Moran reported having received a thank you for the crosswalk by the Senior Center.

- Selectman Moran inquired as to what had happened to plans to overhaul the bridge at Bainbridges. The Town Manager responded that it wasn't on the State's schedule for the time being. He went on to say that there had been a plan in place some years earlier to repair the bridge, and a contract awarded, but there were delays and the business owners became concerned about the impact on their businesses. The project was put on hold. It is apparently back in queue with Mass Highway.

- Selectman Moran suggested that the priority list for the Legislative letter be prepared and presented to the representatives before the next session begins. He felt that in particular unfunded mandates be addressed.

- Selectman Dalton thanked Mr. Lynch for the DPW's hard work in putting in the Middlesex St. sidewalk. Mr. Lynch said the sidewalk would be continued past St. John's Church. The church entranceway would be redesigned to improve the flow of traffic in and out of the church parking lot.

- Selectman McCall reported having met with the School Committee. A joint meeting should be held soon to lay the groundwork for a school building improvement group.

Next Regular Meeting

The next regular meeting is scheduled for Monday, July 21, 2003 at 7:00 pm. There being no further business the regular meeting adjourned at 9:00 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

July 21, 2003

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Korean War Proclamation: John Hipson, Regina Jackson

Minutes of BOS Meetings
- Board of Selectmen: May 19, 2003

Open Session

Town Manager Reports

Town Manager Appointments
- Annual Appointments (ATEF, Cultural Council, Disabilities Commission)

Town Manager Bids/Contract Award

Scheduled Business

7:35 p.m. Application for *Two* One-Day Alcohol Licenses: St. John's Church

7:40 p.m. Public Hearing: Verizon Petition to Install Underground Conduit - Graniteville Road

7:50 p.m. Adams Corner Variety Common Victualer License

7:55 p.m. Application for Change in Manager: Hiway Farm Market

8:00 p.m. Application for Common Victualer License: China Mountain Restaurant 39 Tyngsboro Road

8:05 p.m. Transfer of Class II Auto Dealers License: J.M. Auto Sales to Pleasant Street Motors 118 Gorham Street

8:10 p.m. Presentation: Proposed Walgreen's and Signalized Intersection

Unscheduled Business
Selectmen Referrals
Press Questions
Executive Session

Next Meeting: August 18, 2003

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES

JULY 21, 2003

A regular meeting of the Board of Selectmen was held on July 21, 2003 in Room 204 of the Town Offices beginning at 7:00 pm. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, and Michael McCall. Selectman Weisfeldt arrived at 8:15. Also present was Bernard Lynch, Town Manager.

PUBLIC SERVICE ANNOUNCEMENT

Korean War Proclamation: John Hipson, Regina Jackson

Regina Jackson and John Hipson came before the Board to announce the 50th Commemoration of the Korean War to be held Sunday, July 27 at Veteran's Park at 9:30 am. Selectman Eliopoulos read a proclamation.

BOS Minutes – May 19, 2003

Selectman Eliopoulos made a motion to approve the minutes from the meetings of May 19, 2003. Motion seconded and approved unanimously.

TOWN MANAGER APPOINTMENTS

Annual Appointments (ATEF, Cultural Council, Disabilities Commission)

Selectman Eliopoulos moved to support the Town Manager's appointment of Glenn Doherty, 8 Hillcrest Drive, to the Arts and Technology Fund. Motion seconded and approved unanimously.
Selectman Eliopoulos moved to support the Town Manager's appointment of Sheila Schultz, 15 Plum Street, to the Cultural Council. Motion seconded and approved unanimously.
Selectman Eliopoulos moved to support the Town Manager's appointment of Janis Ackerman, 228 Wellman Avenue to the Disability Commission. Motion seconded and approved unanimously.

TOWN MANAGER REPORTS

Joint Meeting

Mr. Lynch reported that the scheduling of a joint meeting between the Board, School Committee and Finance Committee to discuss the future of school projects has proven difficult. The initial date of July 2 proved unworkable due to vacations. He would continue to pursue dates in an effort to put a work session together by the end of July. The Board stressed the importance of meeting soon.

SCHEDULED BUSINESS

Application for Two One-Day Alcohol Licenses: St. John's Church

Jane Sharfley came before the Board seeking two one-day alcohol licenses for St. John's Church, 115 Middlesex Street.
Selectman Eliopoulos moved to approve a One-Day All Alcohol License for Saturday, September 20, 2003 from 6:00 p.m. to 11:00 p.m. for the purposes of a dance with Bob Gauvreau. Motion seconded and approved unanimously.
Selectman Eliopoulos moved to approve a One-Day Beer and Wine License for Saturday, October 18, 2003 from 6:30-9:30 for the purposes of a Spaghetti Supper. Motion seconded and approved unanimously.

Public Hearing: Verizon Petition to Install Underground Conduit – Graniteville Road

Kathy Frazier of Verizon came before the Board seeking approval for a petition to install underground conduit on Graniteville Road. As this is a public hearing, interested members of the public were invited to come forward and speak to the issue.
An abutter came before the Board and asked whether the underground conduit would impact his property. He was told no.
Selectman Eliopoulos moved to support the petition for Verizon Plan 998 to install 100 ft. of underground conduit on Graniteville Road. Motion seconded and approved unanimously.

Application for Common Victualer License: Adams Corner Variety

Adil Ben Meziane came before the Board seeking approval for a Common Victualer license for Adams Corner Variety, 11 Vinal Square.
Selectman Dalton cautioned Mr. Meziane that previous managers of this business had attempted to obtain a liquor license for the establishment and had failed. Selectman Dalton went on to say he had no intention of supporting any future attempts as there were existing establishments in close proximity. Mr. Meziane responded that at this point he was only seeking the Common Victualer license, however, if he did choose to come forward seeking a liquor license he hoped the Board would hear him with an open mind and see the advantage of competition to the neighborhood.
Selectman Eliopoulos made a motion to approve the Common Victualer license for Adams Corner Variety, 11 Vinal Square, for the weekday hours of 5 am – 11 pm and Sundays from 5 am – 11 pm. Motion seconded and approved unanimously.

Application for Change in Manager: Hi-Way Farm Market

Spiro Vrouhas, Hi-Way Farm Market, 259 Littleton Road came before the Board seeking a Change in Manager, from Clement Luschick to himself. Selectman Eliopoulos made a motion to approve a change in manager at Hi-Way Farm Market to Spiro Vrouhas. Motion seconded, approved unanimously.

Application for Common Victualer License: China Mountain Restaurant

Man Tat Yue came before the Selectman to request a Common Victualer license at the China Mountain Restaurant, 39 Tynsboro Road. Selectman Eliopoulos made a motion to approve a Common Victualer License for China Mountain Restaurant, 39 Tyngsboro Road. Motion seconded and approved unanimously.

Transfer of Class II Auto Dealers License: J.M. Auto Sales to Pleasant Auto Sales, 118 Gorham Street

George Mihailidis came before the board seeking a transfer of Class II Auto Dealers license at 118 Gorham St. Selectman Eliopoulos made a motion to approve a transfer the Class II Auto Dealers License to Pleasant Auto Sales. Motion seconded and approved unanimously.

Presentation: Proposed Walgreen's and Signalized Intersection

George Gamache of Realm Realty came before the Board representing the interests of the proposed Walgreen's at Alpine and Chelmsford St. The plan has been presented to the Planning Board. For the project to go forward it will need the approval of the Town and the Commonwealth following the approval the Planning Board. To clarify, Selectman Eliopoulos said the project includes a traffic signal (at Walgreen's expense) that would require Board approval. Mr. Gamache described the Walgreen's as being an atypical Walgreen's with red brick, gables and dentil molding. Mr. Gamache discussed the egress out onto Chelmsford Street. There will be no northbound egress, all traffic will go to the signal. The group is working with the Fire and Police departments to work on emergency access. Gary McNaughton went over the signalization. The Board requested a copy of the independent traffic analysis for the proposed project. The Board determined that no action needed to be taken on the project until it is approved by the Planning Board and then reaches the 75% approval phase with the State.

SELECTMEN REFERRALS

- Selectman McCall reported on a conversation with Sheila Pichette regarding the need for discussion between the Board and the School Committee to address outstanding issues and the needs of the schools.

- Selectman McCall reported that the Community Preservation Committee is looking at the North Town Hall as a Community Preservation Act (CPA) project. The committee has also been working at identifying possible open space sites. Selectman Dalton asked whether the percentage of property tax going towards the CPA could ever be changed. Selectman McCall replied that it would need a ballot vote.

NEXT REGULAR MEETING

The next regular meeting is scheduled for Monday, August 18, 2003 at 7:00 pm. The board voted by roll to go into executive session for the purpose of discussing litigation and collective bargaining. There being no further business the regular meeting adjourned at 8:40 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

August 18, 2003

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Proclamation: Robert P. Mackey, Purple Heart Recipient

Minutes of BOS Meetings
- Board of Selectmen: June 3, 2003

Open Session

Town Manager Reports

Town Manager Appointments
- Cultural Council

Town Manager Bids/Contract Award

Scheduled Business

7:30 p.m. Application for Common Victualer License: China Mountain Restaurant
39 Tyngsboro Road

7:50 p.m. Public Hearing: Application for Above Ground Storage
Chelmsford Police Station

7:55 p.m. Public Hearing: Application for Class II Auto License
Dana's Automotive, 9 Butterfield Street

8:00 p.m. Public Hearing: Mass. Electric Petition - Place One Pole, Westford Street

8:05 p. m. Public Hearing: Verizon Petition - Install Underground Conduit &
Expand Manholes, North Road

8:10 p.m. Public Hearing: Petition of Teleport Communications to Install
Underground Conduit, Billerica Road

8:15 p.m. Public Hearing: Petition of Teleport Communications to Excavate and
Install Underground Conduit – Stuart Road

** This meeting is televised. **

Scheduled Business (Continued)

8:25 p.m. Application for One-Day Beer & Wine License: Sts. Vartanantz Church

Unscheduled Business

- BOS Appointment: Board of Registrars
- Traffic Rules & Regulations: Quigley Avenue One-Way

Selectmen Referrals

Press Questions

Executive Session

Next Meeting: September 15, 2003

*** This meeting is televised. ***

BOARD OF SELECTMEN MEETING MINUTES
AUGUST 18, 2003

A regular meeting of the Board of Selectmen was held on August 18, 2003 in the Town Offices, 50 Billerica Road, beginning at 7:00 pm. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present was Bernard Lynch, Town Manager.

PUBLIC SERVICE ANNOUNCEMENTS

Proclamation: Robert P. Mackey, Purple Heart Recipient

The Board presented Robert Mackey with a proclamation congratulating him on receiving the Purple Heart Award for his service in the Vietnam War. Mr. Mackey administered first aid to members of his platoon who were wounded when a land mine exploded. Mackey accepted the award on behalf of all veterans. Mrs. Mackey took the podium and thanked Regina Jackson and Marty Walsh for their hard work in helping to get the Purple Heart to Mr. Mackey.

MINUTES OF BOS MINUTES

Selectman Eliopoulos made a motion to approve the minutes from the regular meeting of June 3, 2003. Motion seconded and minutes approved with one abstention (Eliopoulos).

OPEN SESSION

Charles Mullen, 65 Newfield St. Sewer Fees

Charles Mullen, 65 Newfield St. came forward to inquire into some legislation regarding sewer fees. Mr. Lynch explained that the legislation would only affect those building beyond the planned use set by zoning by-laws.

Town Manager Appointments

Selectman Eliopoulos made a motion to approve the Town Manager's appointment of Karen McHenry, Crooked Spring Rd. to the Cultural Council for a two-year term. Motion seconded and approved unanimously.

TOWN MANAGER REPORTS

Center Project

Mr. Lynch reported that a plan was developed in 1995 to improve the Center. The contract award to implement the project was awarded to MDR. The work has been started. Curbing should be in place by later in the year. The utility depression project has been tied to the Center project.

Budget

Mr. Lynch reported the year would be tight as far as free cash went. Plans were in place to transfer available free cash to the stabilization fund.

School Facilities Working Group

The Town Manager reported that the School Facilities Working Group would meet on Wednesday. The group consists of Mr. Lynch, Dr. Moser, School Committee Members Evelyn Thoren and Thomas Mills, and Selectmen Phil Eliopoulos and Tom Moran. The purpose of the group was to identify the needs of the schools, and formulate a plan to address these needs over the next three to five years.

SCHEDULED BUSINESS

Application for Common Victualer License: China Mountain Restaurant 39 Tyngsboro Road

Peter Lin came before the Board representing theYue family to request a Common Victualer License for the China Mountain Restaurant at 39 Tyngsboro Rd.
Selectman Eliopolous made a motion to approve the application for a Common Victualer License for the China Mountain Restaurant at 39 Tyngsboro Rd. for the hours of operation of Mon-Thurs. 11:30-9:30, Fri-Sat. 11:30-10:30 and Sunday 11:30-9 pm. with a seating capacity of 16. Motion seconded and approved unanimously.

Public Hearing: Application for Above Ground Storage Chelmsford Police Station

Mr. Lynch came forward on behalf of the Police Station seeking approval for an above ground storage tank.
Selectman Eliopolous made a motion to approve the application for an above ground storage tank for the purpose of storing fuel for the Chelmsford Police Department and other municipal use. Motion seconded and approved unanimously.

Public Hearing: Application for Class II Auto License Dana's Automotive, 9 Butterfield St.

Brenda Horan, came before the Board seeking a class II Auto License for Dana's Automotive, 9 Butterfield St. The building inspector has recommended a lot capacity of sixteen with six being used for sale.
Selectman Eliopolous made a motion to approve an application for a Class II Auto Dealer's License for Dana's Automotive, 9 Butterfield St. Motion seconded and approved unanimously.

Public Hearing: Mass. Electric Petition – Place One Pole, Westford St.

Selectman Eliopolous made a motion to approve Mass. Electric Plan W-819 to place one temporary pole placed behind the sidewalk on the edge. Motion seconded and approved unanimously.

Public Hearing: Verizon Petition: Install Underground Conduit & Expand Manholes, North Road

Kathy Frasier, Verizon Right of Way Manager, came before the Board seeking approval for a petition to install underground conduit and to expand manholes on North Road. Selectman Eliopolous made a motion to approve Plan No. 2 for the placement of 102 feet of underground conduit and enlarge two existing manholes on North Road. Motion seconded and approved unanimously.

Public Hearing: Petition of Teleport Communications to Excavate and Install Underground Conduit – Billerica Road and Stuart Road

Joe Agresta of Teleport Communications came before the board seeking approval for a petition to excavate and install 150 feet of underground conduit within the public right of way on Billerica Road. Selectman Eliopolous made a motion to approve a petition to install 150 feet of underground conduit and 60 feet of 4" conduit on the public right of way on Billerica Road. Motion seconded and approved unanimously.
Selectman Eliopolous made a motion to approve a petition to install two 4-inch PVC conduits from the property of 6 Stuart Rd. to the property on 9 Stuart Rd.ate the public highway and run and maintain underground fiber and optic conduits. Motion seconded and approved unanimously.

Application for a One-Day Beer and Wine License, Sts. Vartanantz Church

Richard Madanjian appeared before the Board to request a One-Day Beer and Wine License for the annual church picnic on August 24, 2003.
Selectman Eliopoulos moved to approve a One-Day Beer and Wine License for August 24, 2003 from 12 Noon to 6:00 p.m. Motion seconded and approved unanimously.

UNSCHEDULED BUSINESS

BOS Appointment: Board of Registrars

Selectman Eliopoulos made a motion to approve the appointment of Judith Olsson, 8 Scott Drive, to the Board of Registrars in accordance with her nomination by the Chelmsford Democratic Town Committee. Motion seconded, approved unanimously.

Traffic Rules & Regulations: Quigley Avenue One Way
Mr. Lynch stated that because of two recent incidents of motorists becoming trapped at the railroad crossing at Middlesex Street, the Town has explored various measures to prevent a recurrence. One is to make Quigley Avenue a one-way street from Middlesex Street to Church Street. Another possibility is a redesign of the intersection. The DPW reported that certain large vehicles would not be able to make the sharp left turn from Middlesex Street into Quigley if the one-way were enacted. Discussion followed on other possible actions. There was agreement that further review was needed. Mr. Lynch said he would discuss the matter again with the Police and the DPW.

SELECTMEN REFERRALS

- Selectman Moran reported having attended a Zoning Board of Appeals meeting where the Lifesaver Ministries proposed group home on Highland Ave. was discussed. No vote was taken on the project. Residents expressed concern over the site. Mr. Lynch responded that counsel was working through issues on both sides. He went on to say that it was in the best interest for both sides to have the proposal dealt with on a local level.
- Selectman Moran reported on an economic development meeting sponsored by Marty Meehan. He was unable to attend but hoped the train station proposal was on the agenda. Mr. Lynch said that the proposed site was on the MBTA's Master Plan.

- Selectman Moran expressed concern over a proposed state fee attached to obtaining a marriage certificate.
- Selectman Moran said the Electric Company would be changing the fencing around their site on 110. He hoped it would be an improvement over the current situation.
- Selectman Moran and the Board commended the DPW and Public Safety Departments on their handling of the flooding caused by severe rain. Mr. Lynch pointed out that at one point 5 ½" fell in an hour.
- Selectman Weisfeldt requested that Mr. Lynch discuss the feasibility of having a second water meter. Mr. Lynch responded that while it was possible to have two meters in most cases it was not an advantage to do so. Water use is discounted 40% for residential use. If a second meter is installed that forty percent discount is waived. The resident would also pay a fee for the installation.
- Selectman Weisfeldt commented on the seeming influx of houses purchased by organizations to be used for the intent of group homes. Mr. Lynch responded that such use didn't violate any local zoning laws. However, he agreed to follow up on the issue. He thought that there were some legal opinions on file pertaining to this issue.
- Selectman Weisfeldt submitted an activity log provided by the Board of Health. Mr. Lynch said this type of log was something kept by all departments and thanked the BOH for submitting one.
- Selectman Eliopolous reported that the Planning Board had approved the Walgreens proposal. Mr. Lynch clarified this by saying that the approval was contingent upon getting the approval of abutters and getting to the 75% approval phase of the state. Selectman Eliopolous requested a copy of the independent traffic study as well as the Walgreen study.
- Selectman Eliopolous and the Board discussed the issue of user fees for students participating in sports. Selectman Moran felt that the fees could lead to many students not participating in sports. This lead to a discussion of maintenance. The Town Manager recommended having maintenance handled by one entity with open communication on all sides. This arrangement would assure that all needs would be met in a cooperative manner.
- Selectman Dalton commented on the progress the sidewalk project has made on Middlesex St.
- Selectman Dalton said a ground breaking should be happening at the end of September for the 202 elderly housing project.

Next Regular Meeting

The next regular meeting is scheduled for Monday, September 15, 2003 at 7:00 pm. The Board voted by roll to into executive session for the purpose of litigation and collective bargaining. There being no further business the regular meeting adjourned at 9:00 pm.

Respectfully submitted,

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES

September 11, 2003

A meeting of the Board of Selectmen was held on September 11, 2003 in the Town Manager's Conference Room at 7:30 a.m. Selectmen present were: Thomas Moran, Philip Eliopoulos, William Dalton, and Stuart Weisfeldt. Also present were: Fred Mansfield, Finance Director and Bernard Lynch, Town Manager. Sel. McCall arrived at 7:45.

Bond Anticipation Note

Sel. Moran made a motion to "approve the sale of a $750,000 1.20 percent Bond Anticipation Note of the Town dated September 18, 2003, and payable April 22, 2004 to Fleet National Bank at par and accrued interest and to confirm the consent dated September 8, 2003 to the financial advisor bidding for the notes." Sel. Weisfeldt seconded. The motion passed unamiously.

Town Manager Lynch reported that an application came forward from the CHS Athletic Department for a carnival at Chelmsford High School on Sept. 10th -14th. Sel. Moran said that he would like a condition placed on the license that all signs must be removed in a timely manner. Sel. Weisfeldt made a motion to approve the license with the condition of timely remove of the signs. The motion passed unanimously.

There being no further business the meeting adjourned at 8:10 a.m.

Respectfully submitted

Marian D. Currier

I, the Clerk of the Board of Selectmen of the Town of Chelmsford, Massachusetts, certify that at a meeting of the board held September 11, 2003, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appears upon the official record of the board in my custody:

Voted: to approve the sale of a $750,000 1.20 percent Bond Anticipation Note of the town dated September 18, 2003, and payable April 22, 2004, to Fleet National Bank at par and accrued interest.

Further Voted: to confirm the consent dated September 8, 2003 to the financial advisor bidding for the notes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date and time of the meeting was filed with the Town Clerk and a copy thereof posted in the office of the Town Clerk or on the principal official bulletin board of the town at least 48 hours, including Saturdays but not Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the note were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L. c.39, s.23B as amended.

Dated: September 11, 2003

Clerk of the Board of Selectmen

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

September 15, 2003

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

Minutes of BOS Meetings
- Board of Selectmen: April 28, 2003
  June 9, 2003

Open Session

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

Scheduled Business

7:30 p.m. Public Hearing: Verizon Petition to Install Cable in Underground Conduit Tyngsboro Road

7:35 p.m. Application for Change in Manager: Papa Gino's, 29 Chelmsford Street

7:40 p.m. Application for Common Victualer License: Subway, 40 Chelmsford Street

7:45 p.m. Nashoba Valley Technical School FY04 Budget (Discussion with Representatives)

8:00 p.m. Executive Session

Unscheduled Business
- Roadside Vendor Application - Gregory Spring, Christmas Trees

Selectmen Referrals

Press Questions

Executive Session

Next Meeting: September 29, 2003

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
SEPTEMBER 15, 2003

A regular meeting of the Board of Selectmen was held on September 15, 2003 in Room 204 of the Town Offices beginning at 7:00 pm. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present was Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

OPEN SESSION

Rivermeadow Association

Members of the Rivermeadow Association, including Maggie Wetzell, 11 Carter Dr.; Linda Jones, 242 Riverneck Rd.; Dennis McInerney, 21 Carter Dr.; and Joe Holland, 6 Carter Dr. came forward to thank the Board for its leadership on behalf of the town in the defense of the appeal lodged by Princeton Properties at the Housing Appeals Committee. The group also supported the ZBA in its decision to uphold the federal flood plain levels.

Chelmsford Art Society

Linda Puaitti, 115 High St. Chelmsford, came before the Board seeking permanent space for the Arts and Culture Society. They are most interested in the Dutton House or the North Town Hall. The Town Manager dismissed rumors that the Dutton House is currently available. The library uses the space for book storage and staff parking. He went on to say that the North Town Hall needs about one million dollars in improvements. He suggested the possibility of renting private space as was outlined in the business plan Ms. Puaitti presented. Ms. Puaitti responded that having such an expense would make the success of the venture precarious and hoped to find another avenue for securing a permanent home.

TOWN MANAGER REPORTS

School Facilities Working Group

The Town Manager reported on the most recent meeting. The group discussed a list of priorities for short-term projects. The group also went over the potential of a financial plan that would lessen the impact on taxpayers by structuring the tax burden so that it would work in with the phase-out of the sewer project. The group is hoping to have a firm proposal by January. The group is working very well together in collaborative environment. The Board went on to emphasize the importance of the success of the project.

Center Project

The Town Manager reported that the Center Project is going forward with signals installed by mid-November. Selectman Moran asked whether the Holiday Lighting Committee should go forward make plans for the tree lighting. Mr. Lynch said that they should.

SCHEDULED BUSINESS

Public Hearing: Verizon Petition to Install Cable in Underground Conduit Tyngsboro Road

Kathy Frasier, Right of Way Manager, Verizon came before the Board to request a petition to install cable in underground conduit on Tyngsboro Road. Selectman Eliopoulos made a motion to approve the petition to place 5 (five) feet of cable in underground conduit on Tyngsboro Road as outlined in Plan No. 5 dated August 29, 2003. Motion seconded and approved unanimously.

Application for Change in Manager: Papa Gino's, 29 Chelmsford Street

Selectman Eliopoulos made a motion to table the application for a change in manager to the next meeting as a representative from Papa Gino's failed to come to the meeting. Motion seconded and approved unanimously.

Application for Common Victualer License: Subway, 40 Chelmsford Street

Paushal Patel and Amish Shah came before the Board seeking approval for a Common Victualer License for Subway, 40 Chelmsford Street.
Selectman Eliopoulos made a motion to approve the petition for a Common Victualer License for the Subway at 40 Chelmsford St. for the hours of operation weekdays from 6 am – 10 pm and Sundays from 6 am to 10 pm. pending the approval of the Health and Building Inspector. Motion seconded. Selectman Dalton asked for clarification as to where the location of the business was. He was informed that it was at the location of the former Kell's Café. Motion approved unanimously.

Nashoba Valley Technical School FY04 Budget (Discussion with Representatives)

Robert Joyce, Ralph J. Hulslander and Don Ayers of the NVTS school committee came forward at the request of the Board to discuss the Nashoba Valley Technical School FY04 Budget. Judith Klimkewicz, NVTS superintendent came forward and provided a brief overview of the FY04 budget. She stated for the first time in ten years the education reform numbers were not secure. The formula was changed by the governor. In order to maintain a minimum of leveling funding the higher number was necessary. Selectman Eliopoulos said that the Board was not asking that the request for such a number be legitimized, they were looking for information as to why Mr. Joyce and Mr. Hulslander ignored the vote of the Board. Ms. Klimkewicz said that there is a statute in place that states that the members of NVTS school committee act in the best interest of the school. Mr. Joyce took the podium and stated that the process was working.. The numbers were brought before the Finance Committee. He pointed out the process was different this year because there were three different numbers. Selectman Eliopolous responded that there was a clear message at Town Meeting to support the smaller number. He went on to say that this was the number that the budget could bear.

MINUTES OF BOS MEETINGS

Board of Selectmen: April 28, 2003 and June 9, 2003

Selectman Eliopoulos made a motion to approve the meetings from April 28, 2003 and June 9, 2003. Motion seconded and approved unanimously with four votes. Selectman Moran not present for the vote.

UNSCHEDULED BUSINESS

Roadside Vendor Application – Gregory Spring, Christmas Trees

Selectman Eliopoulos made a motion to approve Roadside Vendor Application to sell Christmas trees for the period between Dec. 1, 2003 and Dec. 24, 2003 at 55 Graniteville Rd. Motion seconded and approved unanimously. Motion seconded and approved unanimously with four votes. Selectman Moran not present for the vote.

SELECTMEN REFERRALS

- Selectman Dalton announced there would be an art auction to benefit the Chelmsford Housing Authority on September 17.

- Selectman Eliopolous said there was a School Facilities Working Group meeting scheduled for September 25th at 7:30 pm.

- Selectman Eliopolous said there as a meeting sponsored by Modern Continental focusing on the abutters impacted by the proposed service station on the south bond side and the proposed sound barriers.

- In reply to a question from Selectman Dalton regarding Drum Hill, Selectman Eliopoulos said that Drum Hill was delayed due to the August rainfall. It's been delayed by about two months.

- Selectman Moran asked about the legislative letter. Mr. Lynch responded that the letter would be ready by the next session. Selectman Moran suggested that it should be sent as soon as possible. Mr. Lynch replied that he would try to have a letter ready for the Board's review by the next meeting. He went on to say that the legislative representatives should be invited in for discussion.

- Selectman Weisfeldt said the Friends of the Library book sale would be starting this Friday in the Town Hall gym.

- Selectman Weisfeldt said that North Rd. was very congested, especially at Parkhurst Rd. He wondered if temporary lights might be a short term solution.

- Selectman Weisfeldt said the sewer caps were raised on Davis Rd and he wondered why. Mr. Lynch said the road would be paved in the next week.

- Selectman McCall made a motion to appoint Andrea McMillan to the Chelmsford Housing Authority. Motion seconded and approved unanimously.

Next Regular Meeting

The next regular meeting is scheduled for Monday, September 29, 2003 at 7:00 pm. The Board voted unanimously by roll to go into executive session for the purpose of discussing litigation. Motion seconded and approved unanimously. There being no further business the regular meeting adjourned at 9:15 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

September 29, 2003

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Proclamation: Knights of Columbus Tootsie Roll Drive

Minutes of BOS Meetings

Open Session

Town Manager Reports

Town Manager Appointments
- Commission on Disabilities

Town Manager Bids/Contract Awards
- Telecommunications System for Town Offices
- Road Salt
- Sidewalk Plow

Scheduled Business

7:30 p.m. Public Hearing: Application for a Common Victualer and Entertainment License - Java Room, 14 Littleton Road

7:40 p.m. Route 3 Update: John Greeley, Modern Continental

Unscheduled Business
- BOS Vote: Borrowing from Mass. Water Pollution Abatement Trust
- Town Meeting Warrant
- Legislative Letter

Selectmen Referrals

Press Questions

Executive Session

Next Meeting: TBA

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
SEPTEMBER 29, 2003

A regular meeting of the Board of Selectmen was held on September 29, 2003 at the Town Offices beginning at 7:00 pm. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present was Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

PUBLIC SERVICE ANNOUNCEMENT

Knights of Columbus Charity Tootsie Roll Drive

Selectman Eliopoulos read a proclamation announcing the Knights of Columbus Tootsie Roll Drive for the week of October 5 -11. This annual fund raiser benefits handicapped children from the local area.

TOWN MANAGER APPOINTMENT

Commission on Disabilities

The Town Manager requested the Board vote to approve his appointment of Anne Smith, 118 Meadowbrook Road, to the Commission on Disabilities. Selectman Eliopoulos made a motion to approve the Town Manager's appointment of Anne Smith to the Commission on Disabilities for a three-year term. Motion seconded and approved unanimously.

TOWN MANAGER BIDS/CONTRACT AWARDS

Telecommunications System for Town Offices

The Town Manager requested the Board approve his bid award for a new telecommunication system for the Town Offices to Intertel for $41,423.76. Selectman Eliopoulos moved to approve the contract award to Intertel for the installation of a new phone system at the Town Offices in the amount of $41,423.76. Motion seconded and approved unanimously. Selectman Moran was not present for the vote.

Road Salt

The Town Manager requested the Board approve his contract award to Eastern Minerals at $28.60 per ton for road salt. Selectman Eliopoulos made a motion to approve the contract award for rod salt to Eastern Minerals at $28.60 per ton. Motion seconded and approved unanimously.

Sidewalk Plow

The Town Manager reported that they had received one bid for the sidewalk plow, Chadwick BaRoss. The Town Manager requested the Board approve his contract award to Chadwick BaRoss for one sidewalk plow in the amount of $109,500. Selectman Eliopoulos moved to approve the bid award for a new sidewalk plow to Chadwick BaRoss for $109,500. Motion seconded and approved unanimously.

TOWN MANAGER REPORTS

Budget

The Town Manager provided an update on the FY04 budget condition. He emphasized that there was no free cash available this fiscal year.

Collective Bargaining

The Town Manager reported that negotiations with the various unions would be ongoing during the next few weeks.

School Facilities Working Group

The Town Manager reported that the School Facilities Working Group continued to seek creative ways to meet the educational and programming needs while at the same time keeping the project affordable. Selectman McCall mentioned that the state had yet to make a decision on the future of the School Buildings Assistance Program. The Town Manager responded that it could be many years before the state actually did anything about the program. This led to a further discussion of the SBA.

SCHEDULED BUSINESS

Public Hearing: Application for a Common Victualer and Entertainment License – the javaroom, 14 Littleton Road

Candy Liu, came before the Board seeking a Common Victualer and Entertainment License for the javaroom, 14 Littleton Road. The Board inquired of Ms. Liu what type of entertainment would be featured at the establishment. Ms. Liu replied that she planned to have either piano or guitar on Fridays. Ralph Hickey came forward on behalf of the Commission on Disabilities and said that the establishment was ADA compliant. Selectman Moran asked if the hours were the same for both the common victualer and entertainment aspects of the license. Selectman Eliopoulos responded that entertainment licenses don't specify hours.

Selectman Eliopoulos made a motion to approve a Common Victualer and Entertainment License for the javaroom, 14 Littleton Road for the hours of operation of Monday – Thursday, 7:00 a.m. to 8:00 p.m.; Friday 7:00 a.m. to 11:00 p.m.; Saturday 8:00 a.m. to 11:00 p.m.; and Sunday 8:00 a.m. to 5:00 p.m. subject to the approval of the Building Inspector, Board of Health and ADA compliance. Motion seconded and approved unanimously.

Route 3 Update: John Greeley, Modern Continental

John Greeley, Modern Continental and Mary Carrier, Mass Highway updated the Board and community on the progress of the Route 3 project. Mr. Greeley said the new configuration of the interchange at Drum Hill did not open on Labor Day as hoped. They are now hoping that the signals will be in place and operational by mid to late-October. He pledged that there would be three open lanes by the end of the construction season. Parkhurst Road would be closed at night and open during peak hours of the day so that the new Parkhurst Bridge can be built. Modern

Continental's original plan was to close Parkhurst Road entirely during the construction but the town found this to be unworkable. The hope is to have it up and running in six to eight weeks with these limitations in place.
Selectman Moran expressed concern about the lights at Drum Hill. He asked for a commitment from Modern Continental and Mass Highway that the signalization would be adjusted until they worked correctly. Ms. Carrier responded that the expertise of the traffic engineers was relied upon in the design, but if it needed fine tuning Modern Continental will have to fix it. Mr. Greeley went on to say that they would be there every step of the way to make sure the traffic was moving at an optimal level. Selectman McCall reported that there had been complaints that the construction team's personal vehicles were parked in such a way that they were obscuring the line of vision. Mr. Greeley responded that he would have it taken care of. Selectman Eliopolous said that guardrails were in place at Harrington Field. The Board thanked Mr. Greeley and Ms. Carrier for coming in.

UNSCHEDULED BUSINESS

BOS Vote: Borrowing from Mass. Water Pollution Abatement Trust

Selectman Eliopoulos made a motion to approve the following as read:

1) That the Town shall issue a bond or bonds in an aggregate principal mount not to exceed $3,390,000 (the "bonds") pursuant to Chapters 29C and 44 of the General Laws and a vote of the Town passed April 29, 1996 (Article 15), for construction of sewers and other water pollution control facilities (the "Project");
2) That each Bond shall be issued as a single registered security, and sold to the Massachusetts Water Pollution Abatement Trust (the "Trust") at a price determined pursuant to the Loan Agreement;
3) That the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond, and to execute a Loan Agreement with the Trust with respect to the sale of the Bonds, such date, form and maturities and the specific interest rate or rates of the Bonds to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds;
4) That all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed;
5) That the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary and convenient to carry out the provisions of this vote, including execution and delivery of the Loan Agreement and the Project Regulatory Agreement relating to the Project.

Motion seconded and approved unanimously.

Town Meeting Warrant

Selectman Eliopoulos made a motion to approve the posting of the Fall Town Meeting Warrant and propose the dates of the Fall Town Meeting to be held on October 20th and continued if necessary on October 23, 27 and 30. Motion seconded unanimously.

Legislative Letter

The Town Manager presented the Board with a draft of the annual legislative letter addressing legislative priorities and concerns for the coming legislative season. He suggested the state senator and representatives be invited in to discuss the issues. The Board agreed that this would be a good idea. Some of the issues included the Center Project, Bike Path, and expansion of the commuter rail. Selectman Moran requested that the Board support sending a letter to the Lowell City Council expressing support for a look at the need to expand the Rourke Bridge. Selectman Eliopoulos made a motion to support the drafting of a letter to the Lowell City Manager and City Council identifying support for the expansion of the Rourke Bridge and engineering a better flow of traffic. Motion seconded and passed unanimously.

SELECTMEN REFERRALS

- Selectman Moran suggested that a speed board should be put out on Crooked Spring Road. The rate of speed seems to be excessive for so narrow a road. The Town Manager said that he and Chief McCusker were scheduled to meet and discuss traffic calming measures for many areas of Town.
- Selectman Moran suggested that the Board take a vote on its position regarding ancillary development along the Route 3 corridor. Selectman Moran moved that the board would not support ancillary development without Modern Continental and the State addressing citizen concerns regarding such development first. Motion seconded and supported unanimously.
- Selectman Dalton requested that the drainage concerns of a resident on Garland Rd. be addressed. The Town Manager said he would follow up on it.
- Selectman Dalton inquired as to the plans for establishing the Fire Station Committee. The Town Manager said they were looking at a November timeframe at this point.
- Selectman Dalton asked that complaints from Kensington Place regarding trash pick up be addressed. The Town Manager said he would follow up on it.
- Selectman McCall reported that the Community Preservation Committee would be working on a warrant article and were taking a final walk through the Red Wing Farm property.

Next Regular Meeting

The next regular meeting is scheduled for Monday, October 20, 2003 at 7:00 pm. There being no further business the regular meeting adjourned at 9:00 pm.

Respectfully submitted,

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES

OCTOBER 20, 2003

A regular meeting of the Board of Selectmen was held on October 20, 2003 in the Senior Center, 75 Groton Road, beginning at 7:00 pm. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager, and John Giorgio, Town Counsel.

Review of Fall Town Meeting Warrant

Mr. Lynch updated the board on several articles, saying that Article 2 regarding Free Cash, and Article 4 regarding late bills had been withdrawn.

Selectman Eliopoulos said that he thought there would be a lot of interest in Article 7 regarding the Nashoba school assessment.

Regarding Article 9, Mr. Lynch stated that $50,000 would be requested to repair the roof of the North Town Hall.

On Article 12 Mr. Lynch stated that the position of Sealer of Weights and Measures in the Building Dept. is being reviewed in light of the recent retirement of the Asst. Building Inspector.

Selectman Moran made a motion to approve the articles on the warrant. Motion seconded, approved unanimously.

Other Discussion

Selectman Eliopoulos stated that Parkhurst Road would be open on Thursday, October 21.

Mr. Lynch reported that Rep. Greene's bill to modify Chapter 40B had been defeated. A new bill is being drafted.

There being no further business the meeting adjourned at 7:20 p.m.

Respectfully submitted,

Janet Murphy

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

November 3, 2003

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Veterans Day - Regina Jackson, Asst. Veterans Agent

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s)
- Board of Selectmen: June 30, 2003

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

Scheduled Business

7:30 p.m. Tax Classification Hearing

8:00 p.m. Public Hearing: Application for Transfer of Beer and Wine License:
Cleopasta Inc. to Yoong Tong II Thai Restaurant
61 Central Square

8:05 p.m. Application for One-Day All Alcohol License: St. John's Church
115 Middlesex Street

8:15 p.m. Traffic
- Discussion of Town-Wide Traffic Issues
- Presentation by McMahon Associates, Inc. – Alpine Lane Signal

Unscheduled Business
- Roadside Vendor Application: Central Congregational Church (Christmas Trees)
- Application for Transfer of Underground Storage, 81 Tyngsboro Road
- Application for Transfer of Underground Storage, 188 Princeton Street
- Draft of Legislative Letter

Selectmen Reports/Referrals
Press Questions
Executive Session

Next Regular Meeting: November 17, 2003

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
NOVEMBER 3, 2003

A regular meeting of the Board of Selectmen was held on November 3, 2003 at the Town Offices beginning at 7:00 pm. Board members present were Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

PUBLIC SERVICE ANNOUNCEMENT

Veterans Day – Regina Jackson, Asst. Veterans Agent

Regina Jackson came before the Board to announce the Veteran's Day ceremony to be held on November 11, 2003. Ms. Jackson encouraged all and especially children to come and honor those who have served the nation in the armed services.

Selectman Moran also announced that at 9:30 a.m. on the 11th at the corner of Church and Pleasant St. a memorial would be dedicated to the five Fantozzi brothers who served during World War II.

Board of Selectman: June 30, 2003

Selectman Eliopoulos made a motion to approve the minutes from the meeting of June 30, 2003. Motion seconded and approved unanimously.

TOWN MANAGER REPORTS

Legislative Letter

The Town Manager read the annual legislative letter. The letter, addressed to the local representatives, addresses Chelmsford priorities for legislative action in the coming legislative cycle. The representatives are invited in to the December 1 meeting to address these concerns. Some of the items included in the letter are improvements to the educational aid formula, improvements to SPED funding, SBA clarification, modifications to Chapter 40B, Middlesex Retirement restructuring, the North Chelmsford train station, Merrimack river crossing, Golden Cove signalization and the impact of unfunded mandates.

Center Project

The Town Manager reported that the Center project was moving forward with the curbing and lights to be installed later in the month.

Sign Enforcement

Adherence to sign by-laws continues to be an issue, stated the Town Manager. A particular problem continues to be the a-frames that pop up throughout town. These types of signs will be focused on with fines issued accordingly.

SCHEDULED BUSINESS

Tax Classification Hearing

Frank Reen, Town Assessor came before the Board to provide some background and answer questions regarding tax classification. He said that the Town is required to hold a public hearing annually to address tax classification. Currently Chelmsford has a single tax rate for both residential and commercial properties.
Marianne Paresky, 10 Smith St. came forward to support a split tax rate. She feels that the residential taxes are subsidizing businesses.
Harold Kecy, a Drum Hill business property owner, came forward to support the current single rate. He professed that in a weakened economy an increase to the tax rate for commercial businesses would make matters worse.
Selectman Moran said that the Tax Classification committee had worked very hard on the issue in the 90's. The committee looked objectively at both sides of the issue and determined that a single tax rate was the most equitable. Selectman Weisfeldt suggested that after ten years perhaps it was time to readdress the issue.
Mary Tiano reported that according to the Department of Revenue's website most comparable communities had a split tax rate. She questioned why it would work for those communities and not Chelmsford.
Steve Flynn, 13 Dayton St. came forward and said that 102 communities have classification and haven't gone back to a single rate. He, too, encouraged the Board to look at the issue carefully.
A discussion ensued regarding the original tax classification committee
Selectman Eliopoulos made a motion to keep the tax rate at parity at approximately $12.94 per thousand. Motion seconded and approved unanimously.
Selectman Eliopoulos further moved that the Town Manager work toward the establishment of a new tax classification committee. Motion seconded and approved unanimously.

Public Hearing: Application for Transfer of Beer and Wine License: Cleopasta Inc. to Yoong Tong II Thai Restaurant, 61 Central Square

Kanita Sahasakmontri, 25 Carter St., Needham came before the Board to request a transfer of beer and wine license for the Yoong Tong II Thai Restaurant, 61 Central Square from Cleopasta Inc. The Board stated that it was policy to open the public hearing and then grant the license at the following meeting. The Board also pointed out the results of the CORI check hadn't been returned. The Board moved to continue the discussion of the transfer of license until the next meeting. Motion seconded and approved unanimously.

Application for One-Day All Alcohol License: St. John's Church, 115 Middlesex Street

A representative of St. John's Church came before the Board seeking a One-Day All Alcohol license for their Appreciation Dinner on Saturday, Saturday, Dec. 16, 2003 from the hours of 6 pm to 11 pm. Selectman Eliopoulos moved to approve the One-Day License. Motion seconded, and approved unanimously.

Presentation by McMahon Associates, Inc. – Alpine Lane Signal

George Gamache of Realm Realty and Gary McNaughton came before the Board requesting approval for the transfer of a piece of road way from the state to the Town of Chelmsford. The group was also seeking Board approval for the signalization on Alpine Lane Signal. The Town Manager clarified that the Board and the State need to approve the signalization for the plan to move forward.
Mr. McNaughton stated the 25% had been submitted to the State. The State came back with the notion of transferring 200 feet of state land to the Town of Chelmsford. The Board needs to draft a letter to the State saying that the Town assumes the land. Selectman Dalton asked what advantage there was to the Town assuming the land. He further asked if the Town would maintain the lights. Mr. Lynch said the Town maintained the lights anyway. The Board requested that the State repair that stretch of road prior to any transfer. Mr. McNaughton said they could look at repaving the stretch of roadway. Mr. Gamache went on to say that as part of the traffic signal work improvement would be done on the 275 feet of roadway.
Selectman Eliopoulos requested that traffic studies be provided for the Board from the Town and the development group. Jim Pearson recommended not taking any action on the proposal at this point. He went on to say that he was not necessarily opposed to the 75% plan but to approve it at this point was premature. He hadn't had a chance to thoroughly examine the proposal. Selectman Eliopoulos suggested that the proposal be presented to Town Counsel for their perusal as well.

Discussion of Town-Wide Traffic Issues

The Town Manager addressed a memo dated October 25th regarding Town-wide traffic issues.
Sycamore Street would receive a traffic calming measure with the installation of a removable speed bump on an experimental basis. If successful, similar bumps would be tried in other areas. Mr. Pearson said that the speed bump would have to be removed before any snowfall to permit snowplowing.
Quigley Avenue had some trees removed and the stop line repainted. Chief McCusker recommended that a cul-de-sac be fashioned at the Middlesex end of Quigley to relieve the potential danger of the poorly designed train crossing and to calm truck cut through traffic.
Lynn Avenue has seen an increase in truck cut through traffic. A possible solution to the problem would be to have it be a one way from Main St. It was agreed to hold off on this and see if the completion of Route 3 ameliorates the situation.

UNSCHEDULED BUSINESS

Roadside Vendor Application: Central Congregational Church (Christmas Trees)

Selectman Eliopolous moved to approve a Roadside Vendor application to sell Christmas trees at the Central Congregational Church at One Worthen Street from November 29 to December 21, 2003 from 9 am to 9 pm. Motion seconded and approved unanimously

Application for Transfer of Underground Storage, 81 Tyngsboro Road

Selectman Eliopolous made a motion to approve the transfer of an underground storage tank at 81 Tyngsboro Road from Condor Capital Corp Trust to CK Smith & Co, Inc. Motion seconded and approved unanimously.

Application for Transfer of Underground Storage, 188 Princeton St.

Selectman Eliopolous made a motion to approve the transfer of an underground storage tank at 188 Princeton St. from Motiva Shell Oil Co. to PPS Ventures Chelmsford, LLC. Motion seconded and approved unanimously.

Draft of Legislative Letter

The Town Manager presented the Board with a draft of the annual Legislative letter. He recommended that the Board invite the representatives in to discuss it at a future meeting. The Board agreed.

SELECTMEN REFERRALS

- Selectman Dalton inquired about the formation of the Fire Station Committee and the Affordable Housing Committee. The Town Manager responded that both were being looked at.
- Selectman Eliopoulos commented that he had received the revised landscaping plan for Route 3 and requested that Andy Sheehan and the Town Manager look it over.
- Selectman Eliopolous suggested the sound barrier issue continue to be pushed.
- Selectman Weisfeldt commended the Police for their work on Parkhurst Road.
- Selectman Eliopoulos made a motion to authorize a memorial honoring the five Fantozzi brothers. Motion seconded and approved unanimously.
- Selectman McCall said he continues to field calls and questions regarding sound barriers. He suggested that an invitation be issued to the Legislative delegation to walk the site. The Town Manager responded that it would be considered.

Next Regular Meeting

The next regular meeting is scheduled for Monday, November 17, 2003 at 7:00 pm. The Board voted unanimously by roll to go into executive session for the purpose of discussing real property. Motion seconded and approved unanimously. There being no further business the regular meeting adjourned at 10:20 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

November 17, 2003

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Linda Harrington: Holiday Decorating Committee

Open Session
- Certificate of Appreciation: John B. Sousa

Approval of Minutes from Previous B.O.S. Meeting(s)
- Board of Selectmen: July 21, 2003
- Executive Session: July 21, 2003

Town Manager Reports

Town Manager Appointments
- Cultural Council

Town Manager Bids/Contract Awards
- Old Town Hall Roof

Scheduled Business

7:30 p.m. Public Hearing: Utility Petitions for Central Square Project

7:45 p.m. Continuation: Application for Transfer of Beer and Wine License
Cleopasta Inc. to Yoong Tong II Thai Restaurant, 61 Central Sq.

7:50 p.m. Country Club USA: Request for Extended Hours (3 Nights)

7:55 p.m. Hill Jock House Move

Unscheduled Business
- Discussion: Strategy re Creating an Affordable Housing Plan

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Regular Meeting: December 1, 2003

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
NOVEMBER 17, 2003

A regular meeting of the Board of Selectmen was held on November 17, 2003 at the Town Offices beginning at 7:00 pm. Board members present were Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present was Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager. Selectman Dalton was absent.

PSA

Holiday Prelude

Linda Harrington, Holiday Lighting Committee came before the Board to announce the annual holiday prelude to be held December 7, 2003 from 4 pm to 6 pm. Mrs. Harrington detailed some highlights including hayrides, face painting, holiday music, "Piney the Christmas Tree", pictures with Santa and the tree lighting at 5 pm.

Certificate of Appreciation – John Sousa

The Board presented John Sousa with a certificate of appreciation for his work as Cemetery Director and Town Meeting Representative on the occasion of his taking a job in another community. Mr. Sousa accepted the certificate and expressed thanks for the opportunity to serve the community. He especially thanked the cemetery staff; Sharon Smith, George Caires, Pat Caires Angel Lopez and Ed Correira for their exceptional hard work.

TOWN MANAGER BIDS/CONTRACT AWARDS

Cultural Council – Appointment

Selectman Eliopoulos made a motion to approve the Town Manager's appointment of Lois Alves to the Cultural Council for an unexpired eighteen month term. Motion seconded and approved unanimously.

Old Town Hall Roof

The Town Manager requested the Board vote to approve his bid award for a new roof on the Old Town Hall to Baystate Painting Company of Lynn, MA in the amount of $375 per one hundred square feet. Selectman Eliopoulos made a motion to approve the award for the roof of the Old Town Hall to Baystate Painting for $375 per one hundred square feet. Motion seconded and approved unanimously.

TOWN MANAGER REPORTS

Sound Barriers

The Town Manager reported having received a call from Senator Fargo regarding the inclusion of sound barriers within the supplemental budget. Mr. Lynch cautioned that there was no money attached to this provision, which makes it difficult to put forward.

Classification Committee

The Town Manager reported that the committee would conduct its work over the next several months and report on its findings in September. The seven member committee would be open minded and able to look at the issue from both sides. The Board suggested that the committee be drawn from both the commercial and residential side. The Board also felt that one of its members serve as only a liaison as it has already taken a stand on the issue.

Chapter 40B

The Town Manager reported that it was clear that something needed to be done with Chapter 40B. A state wide committee had established that communities should have more autonomy in developing affordable housing in their own communities. In light of this it would behoove Chelmsford to have a plan in place. The Town Manager will establish a committee to develop an affordable housing master plan. He went on to suggest that the seven member committee would consist of one member of the Planning Board, one member of the Conservation Commission, one member from Community Development, one member of the Housing Authority and three residents. Selectman McCall suggested that a member of the Board also be on the committee. The Town Manager said the request for applicants would be announced to the media.

Traffic Updates

The Town Manager reported that Quigley Avenue had been dead ended and residents are very pleased with the results. The speed hump at Sycamore Street has had mixed results. Public reaction to Drum Hill has been mostly positive. He went on to report that signals would be installed in Central Square soon.

SCHEDULED BUSINESS

Central Square Project

Cathy Frazier came before the Board to request approval for work done in conjunction with the undergrounding of utilities for the Central Square Project.
exception of 991G which is dated November 8th. (no plan 991F) The motion was seconded and approved unanimously.

Tong Tung II, Continuation of Public Hearing

The Town Manager said the CORI check has not come back from the state.
Selectman Eliopolous made a motion to continue the public hearing to December 1, 2003. Motion seconded and approved unanimously.

Country Club Too, Extension of Hours

David Cunha, appeared before the Board to request approval for a temporary increase in the hours of operation for the dates of November 26, 27 and December 31, 2003.
Selectman Eliopolous made a motion to approve the extension of hours for Country Club, Too from 1 am – 2 am for the dates of November 26, 27 and December 31, 2003. Motion seconded and approved unanimously.

Hill Jock House

Deb Taverna of the Garrison House came before the Board to discuss the move of the Hill Jock House to property adjacent to the Garrison House. The house was built in approximately 1756. The Garrison House needs Board approval to go forward with the move. The proposed route is through the center of Town and up Route 110, and is expected to take a day or perhaps two. As the group needs to go to the utility companies and perhaps the Planning Board, the date of the move is unclear at this time. Selectman McCall made a motion to approve the move of the Hill Jock House pending approve of Public Safety, DPW and Planning Board. Motion seconded and approved unanimously.

BOARD OF SELECTMAN MEETING MINUTES

BOS Regular Meeting Minutes – July 21, 2003

Selectman Eliopoulos made a motion to approve the regular meeting minutes from July 21, 2003. Motion seconded and approved unanimously.

SELECTMEN REFERRALS

- Selectman Weisfeldt congratulated the Girls Volleyball team on their North Division championship. He also congratulated the cross country and field hockey teams.
- Selectman Weisfeldt commented on the number of inspections being conducted by the Board of Health's new part-time inspector.
- Selectman Eliopoulos requested that Jim Pearson and Andy Sheehan provide some input on the signage and lights at Drum Hill to Modern Continental.
- Selectman Eliopoulos reported on the School Facilities Working Group. The group is discussing a plan to adjust school size by developing a centralized kindergarten and moving the fifth grade back into the elementary schools. The Town Manager said that the services of an architect had been employed to see what could be done. The group had toured such a center in Shrewsbury. The group was impressed by both the facility and the staff. Selectman Eliopoulos said the hope was to convene both the Board and School Committee in January to present a plan. Selectman McCall said comments from parents led him to believe that they would prefer the standard way. The Town Manager said that similar resistance was expressed in Shrewsbury, but after a great deal of effort by the schools most are very happy with the arrangement.
- Selectman Moran reported that the dedication of the Fantozzi Brothers memorial on Veterans Day was well attended.
- Selectman Moran announced that the Paul Center will be holding an auction this Friday at the Radisson at 7 pm.
- The Town Manager said the final leaf pick up is on Saturday the 22nd. The trucks were out on the 8th and 15th as well.

- Selectman McCall expressed gratitude to Regina Jackson and Mary Walsh for their hard work in arranging the various Veterans Day events.
- Selectman Weisfeldt read in the Sun that the Middlesex Retirement bill is coming before the legislature. The Town Manager said the hearing would be held after the session ends. He hoped it would be rescheduled. The employee knows what they are paying into the system and what they are getting out. The variable is if there is not enough then the municipalities have to make up the difference. There needs to be some oversight from the communities on how the funds are managed. The bill is looking to restructure things.

Next Regular Meeting

The next regular meeting is scheduled for Monday, December 1, 2003 at 7:00 pm. There being no further business the regular meeting adjourned at 9:05 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

December 1, 2003

7:00 p.m.	**Call to Order - Pledge of Allegiance**
	Public Service Announcements
	Open Session
	Approval of Minutes from Previous B.O.S. Meeting(s)
	Town Manager Reports
	Town Manager Appointments
	Town Manager Bids/Contract Awards
	Scheduled Business
7:25 p.m.	Public Hearing: Verizon – Place/Remove Poles on Mill Road
7:30 p.m.	Continuation: Application for Transfer of Beer and Wine License Cleopasta Inc. to Yoong Tong II Thai Restaurant, 61 Central Square
7:35 p.m.	Meeting with Legislative Delegation
8:30 p.m.	Alpine Lane Signal
	Unscheduled Business
	Selectmen Reports/Referrals
	Press Questions
	Executive Session

Next Regular Meeting: December 15, 2003

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
DECEMBER 1, 2003

A regular meeting of the Board of Selectmen was held on December 1, 2003 at the Town Offices beginning at 7:00 pm. Board members present were Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present was Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

TOWN MANAGER REPORTS

Traffic Improvements

The Town Manager reported that the speed hump on Sycamore would be taken up for the winter. The hump had met with mixed reaction from the residents.
Resident reaction has been very positive towards the action taken on Quigley Ave. to make it a one-way. However, some of the businesses have not been happy as access to rear lots has been affected. The business owners feel it has had a deleterious effect on business.

Chelmsford Lodge of Elks

The Town Manager commented on a letter received from the Elks. The recent lodge fire has had a serious impact on fundraising efforts by the Elks. They have provided the Town with notice that they will be unable to continue to coordinate the 4th of July parade as they have done for the last 23 years. The Town Manager said that the Town appreciates the work of the Elks and its importance to the community over the years. He recommended that a letter be drafted that reflects the Town's appreciation.
He added that the group that the Town is working with on the 350th parade may be able to offer help on the 4th of July parade as well. The Elks have offered to work closely to insure a smooth transfer for the coming year.

Affordable Housing

The Town Manager reported that a new 40 B project is coming on line. It is being put forward by Princeton Properties. The proposal consists of 120 rental units on Technology and North Road. This led to a discussion of the use of commercial and industrial property for 40B projects and the loss of local autonomy over development and planned use of space.

Committees

The Town Manager reported having a lot of interest from residents in serving on the Affordable Housing Committee. Recommendations on committee members would be announced around the first of the year. The Town Manager was also seeking input from the Planning Board on the composition and structure of the committee.
The Tax Classification Committee hasn't had quite as much interest from residents. Recommendations for that committee would also be made at around the first of the year.

Holiday Prelude

The Town Engineer has been working with Mass Highway in an effort to the get the center ready in time for the weekend's festivities, reported the Town Manager. The sidewalks were paved and he felt that it would be in good shape by Sunday.

SCHEDULED BUSINESS

Public Hearing: Verizon – Place/Remove Poles on Mill Road

Cathy Frazier, Right of Way Manager for Verizon, came before the Board to request approval to place two poles and remove one pole on Mill Road. The heavy tree cover in the area has caused problems with downed lines. The new poles will accommodate heavy cables, which should remedy the problem.
Selectman Eliopolous made a motion to approve the Verizon New England Plan No. 6 dated 10-14-03 to place two (2) poles and remove one (1) pole on Mill Road. Motion seconded and approved unanimously.

Continuation: Application for Transfer of Beer and Wine License, Cleopasta Inc. to Yoong Tong II Thai Restaurant, 61 Central Square

Jimmy Lee came before the Board seeking approval of an application for the transfer of a Beer and Wine License continued from the November 17th meeting. Mr. Lee stated that he had been in the restaurant business for the past 25 years. He is the proprietor of the Yoong Tong Thai Restaurant in Northboro. The Town Manager said that the criminal records check had come back from the State. The check was positive and the application could move forward.
Selectman Eliopolous made a motion to approve the application for the transfer of a beer and wine license from Cleopasta Inc. to Yoong Tong II Thai Restaurant, 61 Central Square for the hours of operation of Monday – Saturday, 10 am – 10 pm and Sunday from 10 am – 10 pm. Motion seconded, approved unanimously. The Board pointed out that in order to meet state law, alcohol could not be served until noon on Sunday. Selectman Moran requested that in the future the sign by-law be provided to all new licenses and transfer of licenses. The Town Manager said he would follow up on the request.

Meeting with Legislative Delegation

Senator Susan Fargo and Representatives Tom Golden, Dave Nangle and Jeff Hall came before the Board to discuss various legislative issues of importance to the community. Rep. Nangle confirmed reports that the state budget shortfall could be as much as $2 billion. He wouldn't go so far as to say definitely that there would be 10% cuts across the board. They were preparing to work on the 2005 budget and would know more as things were put in place. He went on to comment positively on the Route 3 project and how it is taking shape.

This led to a discussion of the sound barrier issue. Senator Fargo said that funding for sound barriers in the Twiss Road neighborhood had been included in the supplemental budget, however, the governor had vetoed it. They were going to continue to work to overturn the veto. Sen. Fargo said the funding was there within the project budget and there was no reason not to support it. Selectman Eliopoulos commented that the issue

seems to be more about the formula for approving sound barriers than the funding. The state maintains that the area doesn't meet the criteria and won't grant an exception to the formula. Selectman Eliopolous went on to say that perhaps the formula needs to be changed. Rep. Hall disagreed, saying that the formula wasn't the issue, but that the governor wasn't listening. Sen. Fargo said that the House and Senate agree that this is a quality of life and health matter for the residents living in the corridor and that they need to stand up and voice their concerns.

Selectman McCall asked that the representatives address the issue of local aid and the necessity of providing the community with accurate and timely budget information. The delay and inaccurate information has created a tremendous strain for the local community in terms of planning ahead. Rep. Golden recognized their difficulty and said that they were dealing with the same issue with the DOR and DOE. He requested that they look at the preliminary numbers with a skeptical eye. He went on to say that as next year was an election year they would be working very hard to keep the numbers up.

The Town Manager brought up the issue of education aid and the talk that has circulated for years regarding the need to revamp the formula. He pointed out that Chelmsford has done very poorly with the current formula. He went on to say that the Romney administration had put forward a new formula but the initiative had died. Apparently the momentum to take it up and tackle it again isn't there. Rep. Hall reminded those present that this issue continues to be a priority as the formula is tremendously inequitable.

Senator Fargo discussed the shape of the SBAB program and characterized it as a "mess". She called for alternative ways of raising money besides raising taxes that could be used towards education and funding the program. Some of her ideas included going after unpaid taxes and energy conservation. Selectman McCall asked for a timeframe on when the program would be brought back. Rep. Golden said given the popularity of the program it was almost guaranteed that it would be brought back but he was unable to say when it would come back. Selectman Weisfeldt suggested the possibility of a boiler plate plan for school construction that communities could work from. If they wanted to deviate from the plan or get more extravagant they could take on the cost themselves. Rep. Hall said that was an angle that had been looked at and agreed that the current system needed to be overhauled. Sen. Fargo suggested the Town look at the Renewable Energy Trust as a way to deal with its current need.

Selectman McCall suggested that one way to help communities deal with their budget difficulties would be to address the issue of mandates on towns and fixed fee ceiling among other issues. The Town Manager went on to talk about the state mandate that requires that a certain amount of money be put towards libraries to insure accreditation. Rep. Hall made a statement regarding the current legislation on the Middlesex Retirement System. He wanted to clarify that the communities just wanted a seat at the table. Revising the system was a good thing.

Selectman Moran asked the guests to comment on the Rourke Bridge. He said the need to widen the bridge was a regional issue. Rep. Golden agreed but went on to say that while the Pawtucketville side could accommodate widening, the Wood Street side could not without major eminent domain takings. He went on to say that a proposal for a Tyngsboro Bridge was in the works. Selectman Moran suggested that the possibility of a rail line from Nashua with a stop in North Chelmsford was a good possibility and

requested the support of the legislature. The group agreed that the proposed project had its full support.
The meeting ended with a brief discussion of the proposed 40B legislation. Rep. Golden agreed that it was necessary to revise the system, however, it was very difficult to reach consensus on how. He was recommending that the whole system be taken out of the state's hands and put in the hands of local Housing Authorities. Selectman McCall thanked the representatives for their time.

Alpine Lane Signal

George Gamache, Realm Realty and Gary McNaughton, Traffic Engineer, came before the Board to request approval for a signal light on Route 110 at Alpine Lane at the proposed Walgreen's site which is at the 75% design completion point and approval to initiate the transfer of 215' of State property to the Town. Mr. Gamache said that the engineers had taken the comments and concerns of the traffic engineers at Weston and Sampson, Jim Pearson, and the abutters and incorporated them in the 75% design. The Town Manager reported that the Planning Board has approved the proposal. Jim Pearson came forward and stated that the proposal now met his approval. The original 275' of state land had been reduced to 215'. The Town requested the change so as not to take on the existing drainage problems. The Board inquired as to what the advantage to the Town was to take the roadway. Mr. Pearson responded that there wasn't really a problem to add a mere 215' of roadway to the existing hundreds of miles of roadway the Town is already responsible for. The real advantage is the ability to coordinate the signalization with the existing signal at Fletcher St. The Board had a number of concerns with the proposed lanes and traffic patterns. Mr. Pearson, Mr. McNaughton and Mr. Gamache addressed these concerns. Members of the Board were still unclear on how the existing roadway was going to accommodate the turn lanes without adding to an existing traffic problem in the area. The Board agreed with Mr. Pearson and the Town Manager that a signal was needed at Alpine Lane but remained doubtful on whether this was the best solution.
Selectman Eliopoulos made a motion to approve the 75% design of a signal at Route 110 and Alpine Lane and to initiate the transfer of 215' of State owned roadway to the Town of Chelmsford. Motion seconded. Selectman Moran stated that at this phase he would not be supportive of the plan. The motion failed by a vote of 3-2 (Dalton, McCall-aye; Eliopoulos, Moran, Weisfeldt-nay). The Town Manager pointed out that such a vote effectively killed the Walgreen's proposal and wondered if this was the intent of the Board, or were they open to modifications to the plan or perhaps needed more information or clarification of the existing plan. Selectman Dalton asked how long the Planning Board had been working with the group. Mr. Gamache said it had been in the works since 2001. The Planning Board had a number of concerns and that the plan had been modified to accommodate these concerns. Selectman Eliopolous said he was open to taking up the matter again, but felt it would be useful to actually walk the site with the Town Engineer and the traffic consultants from Weston and Sampson. The other Board members agreed.
Selectman Eliopoulos made a motion to continue the discussion of the signalization until the following meeting where it could be taken up again. Motion seconded and approved unanimously.

SELECTMEN REFERRALS

- Selectman Eliopoulos inquired as to whether Andy Sheehan could be present at the next Route 3 PAC meeting as an item on the agenda was the landscaping. Mr. Sheehan had played a major role in commenting on the landscape plan and it would be useful to have him at the meeting. The Town Manager said he would bring it to Mr. Sheehan's attention.
- Selectman Eliopoulos reported on the work of the School Facilities Working Group. The group hoped to have a plan to present to the Board, School Committee and Finance Committee in January. Mr. Lynch said the group would be looking at an alternate plan to a Kindergarten Center at the next meeting. The architect would be in to offer his perspective on a plan to improve the middle schools.
- Selectman Weisfeldt reported that the Board of Health and particularly the new inspector had been very busy of late. The BOH is looking for a budget increase to continue its work. The Town Manager commended the BOH on its efforts but said that at present the budgets of all Town departments would be level funded, and even with such measures it looked like there would be a one to two million-dollar shortfall. He added that the BOH needed to get its budget in as well.
- Selectman Dalton requested certificates of appreciation for three firefighters who are retiring. The Town Manager said he would follow up on the request.
- Selectman McCall passed along complaints regarding increases in cable costs. He added that the lack of competition in cable providers contributes to higher costs for subscribers.
- Selectman McCall reported on the effort made to get the Governor to approve the supplemental budget's inclusion of sound barriers. The Governor's office felt that it set a dangerous precedent to approve such a request. The Governor's staff was currently arranging a meeting with the Office of Transportation. There was still hope for the sound barrier.

Next Regular Meeting

The next regular meeting is scheduled for Monday, December 15, 2003 at 7:00 pm. There being no further business the regular meeting adjourned at 9:30 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

December 15, 2003

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

Open Session

Approval of Minutes from Previous B.O.S. Meeting(s)

- Board of Selectmen: August 18, 2003
  September 11, 2003
  October 20, 2003

- Executive Session: August 18, 2003

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

Scheduled Business

7:30 p.m. Public Hearing: No. Chelmsford Auto Parts

7:35 p.m. Application for Common Victualer License: The Flaky Pastry
14 Central Square

Unscheduled Business

- Annual License Renewals
- Alpine Lane Signal
- Quigley Avenue

Selectmen Reports/Referrals

Press Questions

Executive Session

Next Regular Meeting: **TBA**

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
DECEMBER 15, 2003

A regular meeting of the Board of Selectmen was held on December 15, 2003 at the Town Offices beginning at 7:00 pm. Board members present were Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present was Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

OPEN SESSION

Charles Mullen, 65 Newfield St. came forward and asked questions regarding signage on Route 3. Selectman Eliopolous said the Modern Continental was aware of the problem and would be correcting the problem.

TOWN MANAGER REPORTS

Budget

The Town Manager reported that tax revenue was anticipated to go up. There could possibly be a 10% reduction in state aid. The state is expecting a 2 billion dollar shortfall. There is the hope that this gap will be filled.
The outlook for FY05 continues to be level funded. Employee costs are expected to go up to close to a million dollars. Health insurance has had an 8% increase, which is better than past increases. With a level funded budget the shortfall looks to be $565,000. He went on to say that most departments have adhered to a level funded budget. Selectman Dalton asked what the actual increases were. The Town Manager reported that the Cemetery budget had gone up by $2,000, and the Library budget went up by $10,000. Selectman Dalton asked the Town Manager the difference between a level funded and level service budget. Mr. Lynch replied that a level service budget retains the same services while a level funded budget keeps the funding the same. It is possible with a level funded budget that there could be a reduction in some services. The Town is trying to avoid layoffs.

Center Project

The Center was moving along. He met with representatives from Sovereign Bank. The bank owns the Fiske House, the shed and the barn. He went on to say that Sovereign Bank is interested in doing something different with the property and making the space more in keeping with the retail environment. They want to take down the drive through and perhaps move to the shed. Municipal parking was also discussed with the terms being worked out. Traffic issues at the location will also be dealt with.

Tax Classification Committee

Mr. Lynch reported that six people have expressed an interest in participating on the committee. The Town Manager would like to have a few more. The Affordable Housing committee has generated interest from seventeen people.

School Facilities Working Group

The School Facilities Working Group continues to work. The Town Manager met with an architect that morning to try and craft a plan to bring forward to the meeting on Wednesday night. Selectman Eliopolous mentioned the need to address the issue of maintenance. He went on to say that he was pleased with the concept of having the administration have a permanent home. The Board discussed possible locations. The Town Manager mentioned the possibility of having them come into the Town Offices.

Selectman Weisfeldt asked the Town Manager about the recent damage to the new track. Mr. Lynch responded that vandals had done between $20,000-$25,000 of damage to the track over the Thanksgiving weekend. Work to repair the track would need to wait until spring.

Middlesex Retirement

The Town Manager reported having attended a hearing at the State House regarding the Middlesex Retirement System legislation with the Billerica Town Manager and some folks from Acton. Some representative from the Middlesex Retirement System spoke in favor of retaining the existing system. Mr. Lynch went on to say that PERAC wrote a letter that was critical of the legislation. Testimony primarily focused on better oversight.

APPROVAL OF MINUTES FROM PREVIOUS BOS MEETINGS

Board of Selectmen: August 18, 2003, September 11, 2003, and October 20, 2003

Selectman Eliopolous made a motion to approve the minutes from the regular meetings of August 18, 2003, September 11, 2003 and October 20, 2003. Motion seconded and approved unanimously.

SCHEDULED BUSINESS

Public Hearing: No. Chelmsford Auto Parts

Mr. Charles D'Angelo and Mr. Alex Davies, Manager, appeared before the Board for the annual public hearing to renew the Class III Auto Dealer's License for North Chelmsford Auto Parts, Butterfield St. Mr. Lynch read a report from the Building Inspector where no violations were reported however there had been problems reported in the past with cars being parked on the outside of the yard. Mr. D'Angelo replied that the problem had been temporary when cars were being moved around. Mr. Lynch replied that it became a problem when it is happening on an ongoing basis. Selectman Dalton pointed out that there had been a problem in 1998 and it had been addressed in the license restrictions. Mr. Davies, the lot manager took the podium and explained that due to short staffing in the last several months some vehicles had been left outside the gate on a temporary basis.

Mr. Paul Linnehan, 79 Sleeper St. came forward and said that he was the owner of the property directly across the gate. Up until July the situation had been very good, but after that there were vehicles on Sleeper St. outside the gate. Mr. Linnehan showed pictures of his street and the lot on the other side, which he believed, was owned by Mr. D'Angelo. The pictures depicted cars and large tractors on the property. Mr. Lynch asked for clarification on whether there were cars being parked on another plot of land. Selectman Dalton reminded them that the restriction on the license stated that vehicles couldn't be parked outside of the gate. Selectman Eliopolous wondered whether there was a possibility that the business could be fined for having vehicles outside of the gate. Mr. Lynch replied that this would be a zoning violation and a fine could be assessed for that but not for a license violation. Selectman Moran inquired if the license would be void if it is in violation. Selectman Eliopolous said there would need to be a hearing first. Selectman Moran suggested a condition be put on renewal that if the problem isn't addressed the license would not be renewed.

Mr. Davies said the cars would be removed by the next day. Mr. Lynch asked if there had been a problem with dogs on the premises. Mr. Davies replied that he brought his dogs with him to work, but that they stayed in the fence.

Selectmen Eliopolous made a motion to approve the Class III Auto Dealers License for North Chelmsford Auto Parts, Butterfield St. with the same conditions on the license conditional upon the removal of any vehicles outside of the property gates by December 16 by 5 pm. Motion seconded and approved unanimously.

Application for Common Victualer License: The Flaky Pastry, 14 Central Square

Jamie and Kate Campos and Greg and Amanda Conway, co-owners of the Flaky Pastry, 14 Central Square came before the Board seeking a common Victualer license.
Selectman Eliopolous made a motion to approve a common victualer's license for the Flaky Pastry, 14 Central Square, for the hours of operation of Monday – Saturday from 7 am – 7 pm and Sunday 8 am – 5 pm. Motion seconded and approved unanimously.

UNSCHEDULED BUSINESS

Annual License Renewals

Selectman Eliopoulos made a motion to approve a **Lodging House License** for 2004 to:

Leo Forcier, 146 Tyngsboro Road

Motion seconded and approved unanimously.

Selectman Eliopoulos made a motion to approve an **Automatic Amusement License** for 2004 to:

DePalma Lanes

Motion seconded and approved unanimously.

Selectman Eliopoulos made a motion to approve the following **All Alcohol Club Licenses** for 2004 to:

The American Legion

Chelmsford Elks, Lodge 2310

Motion seconded and approved unanimously.

Selectman Eliopoulos made a motion to approve the following All Alcohol

Innholders Licenses for 2004 to:

Chelmsford Hotel Company

PKS Realty, Inc. d//b/a Best Western

Motion seconded and approved unanimously.

Selectman Eliopoulos made a motion to approve the following **Beer & Wine Restaurant Licenses** for 2004 to:

Amici's Trattoria - Contingent upon filing a Certificate of Insurance.

Chelmsford House of Pizza & Seafood

Evzon – Contingent upon an updated TIPS certification.

Jimmy's Pizza, Subs and Seafood

Kastore Restaurant – Contingent upon an updated TIPS certification.

Papa Gino's - Vote not to renew: ABCC renewal form was not returned.

Sals' Pizza

Cleopasta, Inc.– Contingent upon payment of outstanding personal property taxes ($29.63)

Khoo & Ng Corp. (Sakura Japanese Cuisine)

Seafood Connections Restaurant - Contingent upon on updated TIPS certification

Motion seconded and approved unanimously.

Selectman Eliopoulos made a motion not to approve the following **Beer & Wine Restaurant Licenses** for 2004 to:

Papa Gino's - Vote not to renew: ABCC renewal form was not returned.

The Dino Dog d/b/a Jack's Diner - Vote not to renew: License not turned in - ABCC renewal was not returned.

Motion seconded and approved unanimously.

Selectman Eliopoulos made a motion to approve the following **All Alcohol Restaurant Licenses** for 2004 to:

A.U.C., Inc. (Sombreros)

Alambique, Inc. -

Bainbridges - Contingent upon an updated TIPS certification.

Bertucci's Restaurant Corp.

Chelmsford Country Club

C.K. Restaurant Inc. (Mama's)

Country Club, Too, Inc. – Contingent upon an updated TIPS certification
Garlic and Pepper Bistro – Contingent upon an updated TIPS certification

Glenview Lounge and Pub

The Ground Round

Hong & Kong Restaurant – Contingent upon an updated TIPS certification

Jimmy's Restaurant IV

Panda Wok, Inc.

Skip's Restaurant

Szechuan Chef Restaurant

Vincenzo's Restaurant

Motion seconded and approved unanimously.

Selectman Eliopoulos made a motion to approve the following **All Alcohol Package Store Licenses** for 2004 to:

DJVP Ram Corp.

Drum Hill Liquor Mart

Harrington Wine & Liquors

M.W.N. Inc.

The Wine Rack - Contingent upon payment of outstanding personal property taxes ($7.20)

Vrouhas, Inc. –

Westlands Package Store

Motion seconded and approved unanimously.

Selectman Eliopoulos made a motion to approve the following **Beer & Wine Package Store License** for 2004 to:

Ted's Market – Contingent upon the payment plan with the Finance Director

Motion seconded and approved unanimously.

Selectman Eliopoulos made a motion to approve the following **Auto Dealers Licenses** for 2004 to:

Class I Auto Dealers

Route 3A Motors

Motion seconded and approved unanimously.

Class II Auto Dealers

A+ Auto Body Repair

Bodyworks Autobody

Bosco Automotive Services - Contingent upon payment of outstanding Real Estate taxes ($1,426.70) Contingent upon filing a Certificate of Insurance and Bond.

Chadwick-BaRoss, Inc.

Chelmsford Auto Sales, Inc.

Dana's Automotive

Duffy's Auto Co., Inc

Ferreira Wrecker Sales

J.P. Rivard Trailer Sales, Inc. - Contingent upon payment of outstanding Real Estate taxes ($3,159.87)

Jim Gervais Sales, Inc. -

John's Auto Sales

Landry's Automotive - Contingent upon payment of outstanding Personal Property taxes ($121.16)

Matt Nicolopoulos - Contingent upon filing a Certificate of Insurance and Bond.

McGovern Automotive

Merrimack Auto Sales, Inc.

Morton Jaguar Service, Inc.

Northeast Transmission Company

Pleasant Auto Sales of Chelmsford

R & P Auto Sales (1 Oak Street) – Contingent upon filing a Certificate of Insurance and Bond.

R & P Automotive (117 Princeton Street)

Silva's Garage and Auto Sales

Stony Brook Auto Body – Contingent upon filing a Bond.

Tony's Used Cars

Winner's Circle Auto Sales, Inc.

Motion seconded and approved unanimously.

Selectman Eliopoulos made a motion to approve the following **CommonVictualer Licenses** for 2004 to:

A&A Convenience Stores - Contingent upon payment of outstanding Personal Property taxes ($5.40) Contingent upon Certificate of Insurance.

A+ Mini Market – Contingent upon filing a Certificate of Insurance.

Adams Corner Variety – Contingent up the payment of outstanding Personal Property taxes ($10.50) Contingent upon filing a Certificate of Insurance.

Antonio's Pizza

Bianco & Sons Catering - Contingent upon filing a Certificate of Insurance.

Bickford's Family Restaurant -

Boston Market Corp.

Brickhouse Pizza – Contingent upon filing a Certificate of Insurance.

Brothers Gourmet Pizzeria

Burger King Restaurant – Contingent upon payment of outstanding Real Estate taxes ($4,379.25)

Carvel Ice Cream Store - Contingent upon payment of outstanding Personal Property taxes ($22.69) Contingent upon filing a Certificate of Insurance.

Carven Catering Services – Contingent upon filing a Certificate of Insurance.

Celtic Restaurant & Pubs – Contingent upon filing a Certificate of Insurance.

Chelmsford Center Deli - Contingent upon filing a Certificate of Insurance.

China Mountain Restaurant

Common Cup Café - Contingent upon filing a Certificate of Insurance.

Country Club USA

D'Angelo's Sandwich Shop

Domino's Pizza

Dunkin Donuts – Chelmsford Street

Dunkin Donuts – Drum Hill Road

Dunkin Donuts – Tyngsboro Road

Einstein Brothers Bagels - Contingent upon payment of outstanding Personal Property taxes ($1,727.48)

Elliott's Hot Dogs – Contingent upon payment of outstanding Personal Property taxes ($259.26)

Energy North Stores

Family Pizza

Fresh Chow Restaurant

Friendly Ice Cream Corp. – Contingent upon filing a Certificate of Insurance.

Gary's Ice Cream

Joanne's Kitchen

Kate's Corner – Contingent upon payment of outstanding Personal Property taxes ($25.59)

Market Basket

McDonald's Restaurant

Mr. Convenience – Contingent upon filing a Certificate of Insurance.

Nonna Cardone's Cucina

Panera Bread

Shop & Save

Shell Food Mart – Contingent upon filing a Certificate of Insurance,

Stop & Shop Supermarket

Subway

Sully's Ice Cream – Contingent upon filing a Certificate of Insurance.

Tai Shiang Garden – Contingent upon payment of outstanding Personal Property taxes ($16.95)

The Elegant Farmer

The Pizza Place – Contingent upon filing a Certificate of Insurance

The Americana Café – Contingent upon filing a Certificate of Insurance

Timbo's

Village Square Convenience Store – Contingent upon filing a Certificate of Insurance

Wal-Mart Stores, Inc – Contingent upon filing a Certificate of Insurance.

Westland, Inc.

Zesty Pizza

the java room

Motion seconded and approved unanimously

Alpine Lane Signal

Mr. Lynch said that in response to a number of concerns by the Board a walk through of the Alpine Lane area was conducted with Jim Pearson, Town Engineer. Mr. Pearson was able to answer questions and the Board was able to see location of the traffic signal and get a sense of the proposed traffic pattern. The Board was also provided with the independent traffic study. Mr. Lynch went on to say that they Police Chief had provided a recommendation as well.

Selectman Dalton said that the demonstration had supported his decision to approve the project. Selectman Moran said that he had looked at the traffic study

Selectman Eliopoulos made a motion to approve the 75% design and place a traffic signal at Alpine Lane and start the process of transferring 210 feet of state land to the Town subject to it being brought up to the standard of the remaining roadway. Motion seconded and approved unanimously.

Quigley Avenue

Mr. Lynch reported that blocking off Quigley Avenue had been conducted on a temporary, experimental basis for public safety reasons. Response from residents has been positive, however, a property owner has expressed serious concerns that the one-way has restricted access to the businesses on his property. Dennis McHugh is representing the property owner and has requested that the issue be reviewed at the next meeting.
Selectman Eliopolous made a motion to table to discussion of Quigley Avenue to the following meeting. Motion seconded and approved unanimously.

SELECTMEN REFERRALS

- Selectman Moran requested that federal funds be sought out for snow and ice removal.
- Selectman Weisfeldt mentioned the work being done by the Board of Health.
- Selectman Eliopolous said that the signals would be fixed at Drum Hill along with the paving, the signage and lighting. He went on to report that Modern Continental and Mass Highway were aware of the landscaping comments would incorporate them at a later time.
- Selectman Weisfeldt commented on the depth of the traffic backups on Drum Hill, some going back to the Enterprise Bank. Selectman Eliopolous said that some of this traffic could be due to the holidays.
- Selectman Dalton requested that the handicapped parking restrictions be enforced at Drum Hill.
- Selectman Dalton passed on the positive remarks from a constituent regarding Kathy Bell.
- Selectman Dalton reported on an affordable housing opportunity at Windemere, a 55 plus community. There are 14 free standing two bedroom town houses going for a price of $189,000. The income restriction is $58,000. There is no asset limit.

Next Regular Meeting

The next regular meeting is scheduled for Monday, December 29, 2003 at 7:00 pm. There being no further business the regular meeting adjourned at 9:30 pm.

Respectfully submitted,

Donna McIntosh

JOINT MEETING

BOARD OF SELECTMEN AND SCHOOL COMMITTEE

January 26, 2004

7:00 p.m.

Chelmsford High School
Lecture Hall II

Topic:

School Facilities Working Group Project Proposal

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
JANUARY 26, 2004

A joint meeting of the Board of Selectmen and the School Committee was held on January 26, 2004 at the High School beginning at 7:00 pm. Board members present were Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. School Committee members present were Evelyn Thoren, Tom Mills, Cheryl Perkins, Sheila Pichette and Angie Taranto. Also present were Bernard Lynch, Town Manager, Jeanne Parziale, Assistant to the Town Manager, and Dr. Richard Moser, Superintendent of Schools.

ANNOUNCEMENT

M. McCall announced a Legislative Social, to be held at the library at 7:15 p.m. on Tuesday, February 3, 2004. Senator Fargo and Representatives Golden and Hall were expected to be in attendance.

S. Pichette announced a Legislative Forum to be held on Thursday, February 10th. The purpose of the meeting is for the public to directly address members of the legislature regarding educational concerns, specifically "No Child Left Behind" and the future of educational financing.

SCHOOL FACILITIES WORKING GROUP REPORT

M. McCall stated to the audience that there would be no public input at the meeting. Questions from the public could be entertained at the next Board of Selectman meeting or at the next School Committee meeting.

B. Lynch stated that the purpose of the meeting was to discuss and approve the plan put forward by the School Facilities Working Group. The proposal had been presented at a public input session the week before. The group estimated that about one hundred people attended the public input session. Both boards have received many phone calls and correspondence on the topic.

B. Lynch went on to say that the group had worked very hard examining a number of scenarios that would adequately address the needs of the school system. The final proposal addresses those needs for a cost of $30,670,000. The overall debt picture and finance strategy dovetails with the completion of the sewer project. The end result is that there won't be a discernible increase to the taxes. B. Lynch recommended that 31 million dollars be approved for the project allowing for a construction manager.

R. Moser stated that it had been a very long road to this point. He emphasized the importance of standing behind and publicly supporting the project. The SFWG is optimistic that the public will approve the project.

P. Eliopolous said that he is one hundred percent supportive of the project however; he felt that a large contingent at the input session had expressed support for new science labs at the McCarthy and Parker schools. He suggested that an additional million dollars might adequately address the science labs.

R. Moser responded that unfortunately new science labs did not fall out that simply. The existing space was too small to completely renovate the existing labs. Moreover, renovating one and not the other would create inequity between the two schools. The group went on to discuss other possibilities that could be addressed with an additional million dollars.

Both boards came back to the conclusion that the plan needed to be supported as it was. The deferred maintenance issues would be addressed over time with the capital budget.

Vote

P. Eliopolous made a motion to approve the school improvement plan as presented by the SFWG, Thursday night at a cost of 31 million dollars. Motion seconded and approved unanimously

There being no further business the joint session adjourned at 8 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

February 2, 2004

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- CHS Hall of Fame

Minutes of BOS Meetings
- September 15, 2003

Open Session

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

Scheduled Business

7:25 p.m. Application for One Day Beer & Wine License: Chelmsford Public Library
April 24, 2004

7:30 p.m. Application for Common Victualer License: Chips Electronic Café
28 Alpine Lane

7:35 p.m. Application for Transfer of Class II Auto Dealer License: NTC Automotive
170 Middlesex Street

7:40 p.m. Continuation: The Residence at Stedman – Presentation by Hancock Associates

Unscheduled Business
- BOS Vote: Warrant for Special Town Meeting
- Kensington at Chelmsford LLC: Acceptance by Municipality of Grant of Affordable Housing Restriction

Selectmen Referrals

Press Questions

Executive Session

Next Meeting: February 23, 2004
(at Senior Center)

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
FEBRUARY 2, 2004

A regular meeting of the Board of Selectmen was held on February 2, 2004 at the Town Offices beginning at 7:00 pm. Board members present were Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present was Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

PUBLIC SERVICE ANNOUNCEMENTS

CHS Alumni Appreciation Night

George Simonian came before the board to announce the 14th annual alumni dinner to be held March 20, 2004 at 7 pm at the Doubletree Hotel in Lowell. Those being inducted are as follows:
Blair Bettencourt, Class of 1966
Thomas P. Curran, Class of 1978
Andrew J. Dabilis, Class of 1965
Winchester E. Dermody, Class of 1953
Peter C. Hantzis, Class of 1969
William R. Logan, Class of 1978
Heng-Jin Park, Class of 1982
Marc J. Pelchat, Class of 1985
Paul A. Reynolds, Class of 1978

Mr. Simonian also announced that Carol C. Cleven is the 2004 recipient of the annual "Golden Lion Award".

MINUTES OF BOS MINUTES

September 15, 2003

Selectman Eliopolous made a motion to approve the minutes from the regular meeting of September 15, 2003. Motion seconded and approved unanimously.

OPEN SESSION

Evelyn Thoren came before the Board on behalf of the School Committee to announce a Legislative Educational Forum to be held the following week at the library to address the MCAS test and the "No Child Left Behind" initiative. There would be a question and answer period. David Driscoll, Robert Antonioni, Jeff Hall and Tom Golden would be in attendance.

TOWN MANAGER REPORTS

Budget

The Town Manager reported the governor had released his budget. Local aid would be level funded, as would additional assistance. There continues to be talk of an up to 10% budget cut.

Affordable Housing Committee and Tax Classification Committee

The Town Manager announced that the Tax Classification Committee would hold its first meeting on February 4, 2004. Twenty-five candidates had applied for the Affordable Housing Committee. Mr. Lynch is in the process of reviewing all the applications. Selectman Moran requested that the Board see all applications.

Trinity EMS and Zoll AED (Automatic External Defibrillator)

The Town Manager reported that Zoll Medical had donated an AED for use in the Town Offices. Trinity EMS and Zoll provided training for a number of employees. He went on to commend Judy Dungian for her hard work in putting the program together.

SCHEDULED BUSINESS

One-Day Wine and Beer License

Kathy Cryan-Hicks came before the Board seeking approval for a One-Day Beer and Wine License for the annual Friends of the Library Fundraiser to be held on Saturday April 24, 2004 from 8 pm – 11 pm. The bartender would be TIPS certified. The event is called "Blues, Books and Brews" featuring a barbeque menu.
Selectman Eliopoulos made a motion to approve a One Day Beer and Wine License for the Library for the date of Saturday, April 24, 2004 from 8 – 11 pm. Motion seconded and approved unanimously.

Common Victualer License – Chips, 28 Alpine Lane

Matthew Patron came before the Board seeking Common Victualer License for Chips at 28 Alpine Lane. Selectman Eliopolous made a motion to approve a Common Victualer License for Chips at 28 Alpine Lane for the hours of operation of Monday – Thursday 7 am – 9 pm, Friday 7 am – 11 pm and Sunday 10 am – 8 pm. Motion seconded and approved unanimously.

Class II Auto Dealers License – NTC Automotive

Neil Coffin came before the Board seeking to transfer a Class II Auto Dealer's License, Neil Coffin DBA NTC Automotives,130 Middlesex St, to Winner's Circle, 65 Tyngsboro Road. Selectman Eliopoulos made a motion to approve the transfer. Motion seconded and approved unanimously.

UNSCHEDULED BUSINESS

Special Town Meeting Warrant

Selectman Eliopolous made a motion to approve a special Town Meeting Warrant for the approval of a sum of money for the improvement of the High School and McCarthy Middle School, and new construction at the high school, contingent upon a Proposition 2 ½ debt exemption vote.

Selectman Eliopolous made a motion to approve the posting of a warrant for a Special Town Meeting on February 23, 2004. Motion seconded and approved unanimously.

Kensington at Chelmsford LLC

Selectman Eliopoulos made a motion to approve an Acceptance by Municipality of Grant of Affordable Housing for the development known as The Kensington, 223 - 229 Littleton Road. Motion seconded and approved unanimously.

Stedman St. Project

James Flood, representing the Stedman St. Housing Project came before the Board. Joe Peznola of Hancock Associates had previously met with Jim Pearson and Andy Sheehan to review the project. They suggested that Hancock meet with the Board for its input. Mr. Pearson and Mr. Sheehan had raised a number of issues. The issues of additional visitor parking and underground cable utilities were addressed. Hancock will also address riverfront property impact and the recharge from the roof drain system. Selectman Eliopolous made a motion to endorse the LIP comprehensive permit with the conditions set forward in the February 2nd correspondence from Hancock, and dependent upon the approval of the Conservation Commission. Motion seconded and approved unanimously.

SELECTMAN REFERRALS

- Selectman Moran suggested that Chelmsford follow Lowell's lead and publish information regarding Level III sex offenders that may be living in the area. The Town Manager responded that the Police department disseminates such information and was working with Lowell to see what could be done locally.
- Selectman Weisfeldt reported on the positive things coming from the Board of Health of late. The Town Manager also responded to the positive direction the department is going in and went on to say that like many other Town departments the BOH makes a great case for the need for additional funding, unfortunately there is only so much available funding for all.
- Selectman Weisfeldt reported on an optimistic report from Senator Fargo regarding sound barriers.
- Selectman Eliopolous said that they continued to press Modern Continental for more and more accurate signage at the Drum Hill interchange.
- Selectman Eliopolous inquired as to when lights would be operational in the Center. The Town Manager responded that they were hoping for March.
- Selectman Dalton passed on the concerns of a resident of Ledge Rd. concerning a drain pipe.
- Selectman Eliopolous mentioned the concerns of a resident regarding recent coyote sightings and attacks on household pets.
- Selectman McCall said that he was fielding repeated requests for information on what the SFWG is working on.

Next Regular Meeting

The next regular meeting is scheduled for Monday, February 23, 2004 at 7:00 pm. There being no further business the regular meeting adjourned at 9:30 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

February 23, 2004

Location of Meeting: Senior Center, 75 Groton Road

6:30 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

Minutes of BOS Meetings

Open Session

Town Manager Reports

Town Manager Appointments
- Telecommunications Advisory Committee

Town Manager Bids/Contract Awards

Scheduled Business

6:30 p.m. Dog Hearing: "Tyson"

6:40 p.m. Application for Extended Hours, Country Club Too

Unscheduled Business
- BOS Vote: Invite Candidates for Selectmen to March 8 BOS Meeting
- Cancellation of Liquor License: Chelmsford House of Pizza
- Transfer of Above Ground Storage: Police Dept. to Sewer Operations, 230 North Road
- 268A Exemption

Press Questions

Executive Session

Next Meeting: March 8, 2004

BOARD OF SELECTMEN MEETING MINUTES
FEBRUARY 23, 2004

A regular meeting of the Board of Selectmen was held on February 23, 2004 at the Senior Center beginning at 6:30 pm. Board members present were Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present was Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

TOWN MANAGER APPOINTMENTS

Telecommunication Advisory Committee

The Town Manager recommended the appointment of Richard Haigh, 8 Fourth Lane to the Telecommunication Advisory Committee to fill an unexpired term ending June 30, 2004.

Selectman Eliopoulos made a motion to approve the appointment of Richard Haigh to the Telecommunication Advisory Committee. Motion seconded, appointment approved unanimously.

SCHEDULED BUSINESS

Dog Hearing: "Tyson"

Mikael Bowen, 115 Robin Hill Road, appeared before the Board to provide sworn testimony concerning an incident with the dog "Tyson" on January 17, 2004. Mr. Bowen said he was walking his own dog at about 10 pm. He had just passed the driveway of 137 Robin Hill Road when Tyson, a large Rottweiller ran out and attacked his dog. In the process of trying to get Tyson away from his dog he stated that he was bitten. Mr. Bowen went on to say that the owner of the dog made no effort to control his dog. The Police were called to the scene. The Police report reflects that Tyson was later brought into the custody of the Dog Officer by his owner, Anthony Guiffrida, 108A Wason Rd, Hudson, NH. As the dog had no tags or vaccinations it had to be under quarantine for 10 days to check for rabies. Following that the dog was released into the custody of Anthony Guiffrida upon the condition that the dog not return to Chelmsford pending a formal hearing. Chief McCusker was present and said that the dog had been turned over to a resident in Andover. Chief McCusker contacted Andover Police Chief Brian Patullo and briefed him on the facts of the matter. Chief Patullo knows the dog's new owners and feels the arrangement is satisfactory. Mr. Bowen requested that there be some permanent record that the dog not is allowed to return to Chelmsford. Anthony Guiffrida did not appear at the hearing to speak to the matter.
Selectman Eliopolous made a motion that given the facts of the matter, the dog Tyson is a danger to the community and as such is banished permanently from Chelmsford. Motion seconded and approved unanimously.

Application for Extended Hours, Country Club Too

David Cunha, Country Club USA, 67 Parkhurst Road, came before the Board seeking an extension of hours on Thursdays from 1 am to 2 am. He explained that he would be offering Kareoke on that night. Chief McCusker had no objection to the extension. Selectman Eliopolous made a motion to approve the extension of hours on Thursdays from 1 am to 2 am at Country Club, Too/Reflections, 67 Parkhurst Road. Motion seconded and approved unanimously.

BOS Vote: Invite Candidates for Selectman to March 8, BOS Meeting

Selectman Eliopolous invited all of the candidates running for the two Board of Selectman seats in to the March 8 meeting to introduce themselves to the community. Motion seconded and approved unanimously.

Cancellation of Liquor License: Chelmsford House of Pizza

Selectman Eliopolous made a motion to approve the cancellation of a liquor license for the Chelmsford House of Pizza, 10 Vinal Square in response to a request from the current owner of record Harry Panagiotopolous. Motion seconded an approved unanimously.

Transfer of Above Ground Storage: Police Dept. to Sewer Operations, 230 North Road

On behalf of the Chelmsford Police Department the Town Manager requested the Board approve a Transfer of Above Ground Storage to the Sewer Operations at 230 North Road. Selectman Eliopolous made a motion to approve a Transfer of Above Ground Storage License for 10,000 gallons from the Police Department at 230 North Road to the Sewer Department. Motion seconded and approved unanimously.

268 A Exemption

Selectman Eliopolous made a motion to approve and 268A Exemption for Mary St. Hillaire. Motion seconded and approved unanimously.

UNSCHEDULED BUSINESS

School Facility Maintenance Plan

The Town Manager reported that he had presented a plan to the School Facilities Working Group regarding the proposed municipal takeover of school facility maintenance. The takeover would be conducted in stages with the formation of a committee working with the current school budget. The committee would consist of both member of the school and municipal side. Eventually the committee would evolve into a department with its own budget. The Town Manager hoped the plan would be approved so that it could be on the spring town meeting warrant. He went on to say that the Superintendent was as yet not completely in support of the plan.
The Board discussed the plan. Selectman Eliopolous questioned the timing of the plan as the SFWG had talked of the plan going on the Fall Town Meeting warrant. Mr. Lynch stated that the group had been flexible on that point. Selectman Dalton emphasized the need for the Board to be moving forward on the issue as the topic had been raised for over five years. Selectman Eliopolous agreed that they needed to move forward but they had only just seen the proposed plan. Selectman Weisfeldt inquired as to what role the

superintendent had in the plan. Mr. Lynch said that the Superintendent would work in consultation with the Town Manager. The Town Manager would be entirely responsible for the maintenance.
Selectman Eliopolous made a motion to support the Town Manager's maintenance proposal. Motion seconded and approved unanimously.

UNSCHEDULED BUSINESS

Next Regular Meeting

The next regular meeting is scheduled for Monday, March 8, 2004 at 7:00 pm. There being no further business the regular meeting adjourned at 7:30 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

March 8, 2004

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Introduction to Candidates for Board of Selectmen
- Scholarship Fund Month of March 2004
- July 4 Parade – John Chemaly

Minutes of BOS Meetings
- September 29, 2003

Open Session

Town Manager Reports

Town Manager Appointments
- Affordable Housing Master Plan Committee

Town Manager Bids/Contract Awards

Scheduled Business

7:25 p.m. Application for 2 (Two) One-Day Alcohol Licenses: St. John's Church

7:30 p.m. Public Hearing: Utility Petitions Central Square Undergrounding Project

7:45 p.m. Public Hearing: Application for Extension of Hours, Alambique Lounge

7:55 p.m. Application for All Alcohol Common Victualer License: Thai Jasmine Restaurant
313 Littleton Road

8:00 p.m. Public Hearing: Application for Keno License, Village Square Convenience
Application for Common Victualer License, Village Square

Unscheduled Business
- BOS Vote: Jamros Brothers Memorial
- Orders of Taking: Chestnut Hill Area Phase 4 E Sewers
- Cutrumbes Property
- Town Meeting Warrant
- Chelmsford House of Pizza: Reinstate Beer & Wine License

** This meeting is televised. **

Selectmen Referrals

Press Questions

Executive Session

Next Meeting: March 22, 2004

*** This meeting is televised. ***

BOARD OF SELECTMEN MEETING MINUTES
MARCH 8, 2004

A regular meeting of the Board of Selectmen was held on March 8, 2004 at the Town Offices beginning at 7:00 pm. Board members present were Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present was Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

PUBLIC SERVICE ANNOUNCEMENTS

Introduction to Candidates for Board of Selectmen

Selectman McCall turned the proceedings over to Selectman Eliopoulos for the purpose of introducing candidates for the Board of Selectmen.

Thomas Newcomb said that he is a life long resident and business person in Town. He looks to bring leadership skills, fresh energy and a new perspective to the Board. Of primary interest to him is developing a strategy and plan to work with Chapter 40B. He also wants to develop a positive climate for businesses while at the same time being mindful of preserving open space.

Dominic Leone expressed concern over the problem of drugs in the school system. He went on to describe what he perceives as a disconnect between the school and Town. He positioned himself as the candidate that would speak for the people opposed to the school project.

Selectman Tom Moran, introduced himself as a resident of Town for over 39 years. He went on to cite some of the Board's accomplishments during his tenure as a member, including the sound financial plan, favorable bond rating, a new library and new police station. During his time on the board he described serving on the tax classification committee, master plan committee, school facilities working group, as well as the accomplishments of the acquisition of the Forum and the golf course. His priorities for the future include a 40B master plan and continuing the fight to control taxes

Selectman Mike McCall, said that he too is a lifelong member of the community and current member of the Board. He also sited experience on the Community Preservation Committee, The Paul Center and Habitat for Humanity. One of his priorities is the preservation of open space in the community. He also supported the school building project. He went on to list his strengths as a proven project leader in his professional life with a commitment to the community.

Scholarship Fund Month of March 2004

Selectman McCall read a proclamation declaring the month of March "Scholarship Fund Month:. Fifty-three scholarships were awarded to residents seeking to further their education. Linda Chemaly and Neil Lehrer of the Scholarship Committee came forward to accept the proclamation and to provide information on how to donate to the fund.

July 4 Parade – John Chemaly

John Chemaly came forward to speak about the 4th of July parade and the 350th Celebration Committee. The group took over the 4th of July parade at the request of the Town after the Elks had to pull out. Mr. Chemaly thanked Jeff Hardy for all of his hard work with the CBA. The Lions have also been of great help. He went on to discuss modifications to the parade route and staging area. The 4th of July Celebration has been budgeted at $15,000.

MINUTES OF BOS MINUTES

September 29, 2003

Selectman Eliopolous made a motion to approve the minutes from the regular meeting of September 29, 2003. Motion seconded and approved unanimously.

SCHEDULED BUSINESS

Application for 2 One-day Alcohol Licenses: St. John's Church

Jane Salin, Tyngsboro came before the Board seeking one One-Day All Alcohol License and one One-Day Beer and Wine License for St. John's Church. Selectman Eliopolous made a motion to approve a One-Day All Alcohol License for March 13, 2004 for a dinner dance from 6 pm to 12 am for St. John's Church, Middlesex St. Motion seconded and approved unanimously.

Selectman Eliopolous made a motion to approve a One-Day Beer and Wine License for March 28th from 2-5 pm for a piano concert for St. John's Church. Motion seconded and approved unanimously.

Public Hearing: Utility Petitions Central Square Undergrounding Project

Kathy Frasier, Verizon Right of Way Manager came before the Board seeking approval for a utility petition for the Central Square undergrounding project.

Selectman McCall made a motion to approve the plan to place underground conduit as outlined by Verizon, Mass Electric and Comcast to lay and maintain underground conduit, manholes, cables and wires in the public way. Motion seconded and approved unanimously.

Public Hearing: Application for Extension of Hours, Alambique Lounge

Attorney Louis Cassis came before the Board on behalf of the Alambique Lounge seeking an extension of the hours of operation to 2 a.m. on the weekends. He stated that business has decreased by 50 to 70 percent since the change in hours to 1 a.m., and asked the Board to clarify its position of the permanency of the reduction of hours. He pointed out that the reduction would in all likelihood bring about the closure of the establishment. Mr. Cassis requested that the business be given a chance with an increase of the hours to 2 a.m. Selectman Dalton responded that Chief McCusker would not recommend that the hours be restored. He went on to say that fights, domestic disputes, vandalism and hit and runs have all occurred after 1 a.m. at the establishment. Mr. Cassis requested that the business be given opportunity with a 2 a.m. closure on Saturdays.

Selectman Moran stated that he hadn't wanted the 2 a.m. closure from the beginning, but it was approved by the Board and tried and ultimately failed. Selectman McCall said the intention of the Board was to keep peace in the community. Selectman Eliopoulos noted complaints about noise from abutters. The Town Manager said the reduction had only been in effect for five months and had been imposed as a result of violations that had been found after an investigation of the establishment. The investigation had come about as a response to about 28 complaints.

As it was a public hearing, Selectman McCall invited interested members of the community to come forward and speak to the matter. Robert Moore, Dunshire Drive, stated that since the hours had been rolled back to 1 a.m. things seemed to be better, however, there were still incidents and noise. He was very concerned with the possibility that the extended hours could be reinstated.

Selectman Eliopoulos made a motion to deny the request of the Alambique Lounge to extend the hours of operation to 2 a.m. Motion seconded. Selectman McCall said that the roll back was not permanent, and the petitioners could use their judgment and come back at a later date and make their case again. Motion approved unanimously.

Application for All Alcohol Common Victualer License, Thai Jasmine Restaurant, 313 Littleton Road

Praphaporn Calderon came forward as owner and manager of the Thai Jasmine, 313 Littleton Rd seeking an All Alcohol License for the Thai Jasmine, 313 Littleton Rd.

Selectman Eliopolous made a motion to continue the public hearing for two weeks as is the policy of the Board. Motion seconded and approved unanimously.

Public Hearing: Application for Keno License, Village Square Convenience, Application for Common Victualer License, Village Square

Attorney Arthur Pearlman came before the Board on behalf of Mukesh and Ramila Patel seeking approval for a Keno License for the Village Square Convenience Store, Fletcher St. The Town Manager asked Mr. Pearlman if the new owners would keep the establishment as the previous owners had. Mr. Pearlman responded that the layout would be different. The Keno area would be moved to the back of the store and separated from the rest of the store. The owners manage two other stores that offer Keno, Minute Mart in Woburn and Veronica's in Waltham. The planned layout is similar to those establishments. Selectman Dalton pointed out that another group had been in recently for a transfer and had been denied a license on the recommendation of the Chief of Police. He went on to add that the policy of the state is to not grant new licenses to convenience stores and give communities the latitude to deny transfers. Selectman McCall pointed out that it does not serve the public good as convenience stores cannot restrict the age of its patrons. Attorney Pearlman said the group would not be setting up a gambling establishment. Selectman Eliopolous wondered if granting the transfer would improve an existing problem, as the license is in existence and will remain so at the current location.

As it was a Public Hearing, Selectman McCall invited interested members of the public to come forward and voice their opinion on the matter. No one did.

The Board discussed the possible merits of new ownership making an existing situation better as opposed to upholding the policy set forth in a previous vote on January 16, 2003 which denied a license to another party. The Town Manager recommended continuing the discussion while filing a denial to the Lottery Commission and applying for a hearing.

Selectman Eliopoulos made a motion to file an objection to the issuance of the license to the Massachusetts State Lottery Commission and simultaneously continue the hearing for a transfer of license for the Village Market to the next meeting. Motion seconded and approved unanimously.

UNSCHEDULED BUSINESS

BOS Vote: Jamros Brothers Memorial

Selectman Moran said that the recent dedication of a memorial to the Fantozzi Brothers had met with a tremendous positive response. He recently heard that the Jamros family also had five sons who served in WWII. He proposed dedicating a memorial to the five Jamros brothers located at the corner of Coolidge and Harding Street. The dedication could be made on Memorial Day.

Selectman Eliopolous made a motion to approve the dedication of a memorial to the Jamros Brothers on the corner of Coolidge and Harding Street. Motion seconded and approved unanimously.

Cutrumbes Property

The Town Manager reported that Chapters 61A and 61B were a means of protecting open space. The land under these chapters was taxed at a lower rate and the Town would have the right to first refusal. The six-acre piece of property on Boston Road owned by the Cutrumbes family being offered for $950,000, and the Town has 120 days from February 11 to decide to either buy it or not.

Chelmsford House of Pizza: Reinstate Beer & Wine License

Selectman Eliopoulos made a motion to reinstate the Beer and Wine License for the Chelmsford House of Pizza. Motion seconded and approved unanimously.

TOWN MANAGER REPORTS

School Project

The Town Manager announced that the LOWV would hold a forum on the school project at the Old Town Hall on Wednesday, March 10, 2004 at 7 pm.

Town-Wide Maintenance

The Town Manager made a presentation of the proposed charter change that would allow for a shared role in maintenance between the Town and School Department. The Town Manager had met with Bob Cruickshank. Superintendent Moser is supportive of the notion of shared maintenance. Andover and Bedford are models for such a plan. It is essential that such a plan be legally binding. The Town Manager said that they would continue to work through the proposal.

TOWN MANAGER APPOINTMENTS

Affordable Housing Master Plan Committee

The Town Manager requested the Board approve the appointment of the following to the Affordable Housing Master Plan Committee.

Board of Selectman	Bill Dalton
Housing Authority	Denise Marcaurelle
Planning Board	Pam Armstrong
Conservation Commission	Brian Reidy
Community Development Coordinator	Andy Sheehan
Citizens (3)	Ruth Luna
	Georgi Mueller
	Ray Peterson

Selectman Eliopoulos made a motion to approve the Town Manager's appointments to the Affordable Housing Master Plan Committee. Motion seconded and approved unanimously.

Next Regular Meeting

The next regular meeting is scheduled for Monday, March 22, 2004 at 7:00 pm. There being no further business the regular meeting adjourned at 9:30 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

March 22, 2004

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

Minutes of BOS Meetings

- Selectmen: November 3, 2003
  November 17, 2003
  December 1, 2003
- Executive Session: November 3, 2003

Open Session

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

- Windows for Town Offices
- GIS Fly Over
- North Town Hall Roof

Scheduled Business

7:00 p.m. Joint Meeting Selectmen, School Committee, Town Moderator
Nashoba Valley Tech Appointments

7:25 p.m. Application for One-Day Beer & Wine License: Bradco Supply Corporation
20 Industrial Avenue

7:30 p.m. Continuation of Public Hearing: Application for All Alcohol Common Victualer License
Thai Jasmine Restaurant, 313 Littleton Road

7:35 p.m. Public Hearing: Mass. Electric Pole Petition, Place One Pole - Hunt Road

Unscheduled Business

Selectmen Referrals

Press Questions

Executive Session

Next Meeting: TBA

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES
MARCH 22, 2004

A regular meeting of the Board of Selectmen was held on March 22, 2004 at the Town Offices beginning at 7:00 pm. Board members present were Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

JOINT MEETING WITH CHELMSFORD SCHOOL COMMITTEE

Appointment to Nashoba Valley Technical School Committee

A joint meeting of the Board of Selectman and School Committee took place at 7:00 p.m. for the purpose of appointing a member to the Nashoba Valley Technical School Committee for a three-year term and an alternate for a one-year term. Dennis McHugh administered the proceedings. Each candidate was given one minute to make his case for the position.

Stratos Dukakis, 10 Galloway Rd. cited his 20-plus years of experience with the school. He wanted to focus his attention on declining enrollment. He also spoke of the importance of renovating the buildings.

Bob Joyce said he was currently the vice-chair on the committee. He hoped to see between 100-120 students from next year.

James Spiller read a letter of interest for the alternate position. He noted his military background. He believes in the philosophy of vocational training.

Sheila Pichette came forward and asked Mr. Joyce to account for his vote on the FY 2004 budget.

Dennis McHugh opened the floor to nominations. Selectman Dalton nominated Bob Joyce to the position. Nomination seconded. Selectman Weisfeldt nominated Stratos Dukakis, nomination seconded. Selectman McCall nominated James Spiller. Mr. Joyce received five votes against Stratos Dukakis' four. The vote is as follows: Mr. Joyce: Moran, McCall, Dalton, Pichette, Taranto; Mr. Dukakis: Weisfeldt., Eliopoulos, Mills, Porter. Mr. Joyce was appointed to a 3 year term.

Don Ayer was nominated to a 3 year term as alternate. Motion seconded. Don Ayer elected unanimously.

PUBLIC SERVICE ANNOUNCEMENTS

Arts and Technology Fund

Evelyn Thoren came to the podium to talk about the Arts and Technology Fund. The fund provides money for grants for school projects. This money does not go back into the general operating budget of the school. These are one-time grants for specific projects. Applications for grants are due March 31, 2004 and can be downloaded from the website and forwarded to the committee via email. A donation tear off is attached to excise tax bills and property tax bills.

MINUTES OF BOS MINUTES

November 3, November 17 and December 1, 2003

Selectman Eliopoulos made a motion to approve the minutes from the regular meeting and executive session of November 3, 2003 corrected to reflect that Selectman Dalton was present at the meeting. Motion seconded and approved unanimously.

Selectman Eliopoulos made a motion to approve the meetings of November 17 and December 1, 2003. Motion seconded and approved with one abstention. (B. Dalton abstained)

SCHEDULED BUSINESS

One Day Beer and Wine License – Bradco Supply Company, 20 Industrial Ave.

Alex McForner came before the Board seeking approval for a One-Day Beer and Wine License. The wholesale distributor relocated in December and is planning an open house at their new facility on March 24, 2004. The bartender would be TIPS certified. Selectman Eliopoulos made a motion to approve a One-Day Beer and Wine License for Bradco Supply Company, 20 Industrial Avenue on March 24, 2004 from 3:30 pm – 7:30 pm. Motion seconded and approved unanimously.

Continuation of Public Hearing: Thai Jasmine, 313 Littleton Road, All Alcohol License

Praphaporn Calderon came before the Board seeking an All Alcohol License for the Thai Jasmine Restaurant, 313 Littleton Road. Selectman Eliopoulos suggested the owner of record also be TIPS certified as a condition of the license. Selectman Eliopoulos made a motion to approve an All Alcohol License for the Thai Jasmine, 313 Littleton Road for the hours of operation Monday – Saturday 11 am – 2:30pm and 5 pm – 11 pm; and Sundays from 11 am – 2:30 pm and 5 pm – 11 pm with the condition that the owner become TIPS certified within 90 days. Motion seconded. Selectman Moran requested the occupancy limits be on the license. Ms. Calderon said the limit was 61. License approved unanimously.

Public Hearing – Pole Petition, Mass Electric

David Aguiar came before the Board for the purpose of seeking approval for the placement of a pole on Hunt Road. Selectman Eliopoulos made a motion to approve the placement of a pole on Hunt Road in accordance with plan H-823. Motion seconded and approved unanimously.

Transfer of License – Keno Village Square Market

The Town Manager stated that at the previous meeting the Board had voted to issue a denial to the Lottery Commission on the application for a transfer of license for the Village Square Market. A letter was forwarded to the lottery commission outlining the Board's objections. The opportunity was still available to withdraw the denial. He went on to ask the Board if they had any additional thoughts on the matter. Selectman McCall said that he had visited the other stores in Waltham and Woburn. Both were bigger and well stocked. It was quite apparent that both stores were frequented for reasons beyond Keno. Both were run as convenience stores with the Keno separate from the main store. Selectman Dalton stated that on January 16, 2003 the Board voted with the recommendation of the Police Chief to support the position that convenience stores were not appropriate sites for Keno. Selectman Eliopoulos commented that he didn't know if it would be in the best interest of the community not to transfer the existing license. He

felt that it was the Board's responsibility to look at each individual case, as Keno would continue to be in existence at the current location, and the new owner could provide a more favorable situation. Selectman Moran emphasized that the state would not be granting new licenses and gave communities the right to object to transfers. The Board asked the Town Manager for his guidance in the matter.

The Town Manager said it was a matter of judgment for the Board. The sentiment of the Board and community seemed to lean in the direction of not having Keno in convenience stores. The current owners would continue to hold the license and in the event that the store went out of business, the license would revert back to the Town.

The Board asked the Town Manager if Kopelman and Paige had provided an opinion on the matter. The Town Manager responded that they had provided a procedure on filing a denial and what the parameters for such a denial were.

Selectman Eliopoulos asked if the Board needed to take further action on the matter. The Town Manager responded that they could affirm the vote from the previous meeting or they could revoke the vote or choose to do nothing, which would let the vote stand. Selectman Dalton moved to affirm the vote of the previous motion. Motion withdrawn. The vote from the March 8, 2004 meeting stands.

TOWN MANAGER REPORTS

Center Project

The Center project was moving forward. The signal lights were still set in the flashing mode. The Board discussed the intersection. The Town Manager said funds had been identified for making all public safety vehicles Opticon ready.

350th Anniversary

A private donation of $15,000 was made to the 350th Celebration fund. In addition, the Lock Monsters hockey team is sponsoring a "Chelmsford Night" where $2 per ticket would go to the 350th Celebration. Chelmsford resident and retired Police officer Patrick Daley would be honored at the game for his service to the community.

Town Initiatives

The Town Manager said a goal for the community in the upcoming months would be to improve the appearance of the Town. A concerted effort would be made involving a number of departments including the Building Inspector, the Board of Health and the DPW. Sign by-law violations and open dumpster violations would be enforced. Selectman Moran requested that the Garden Club and some of the developers and landscapers be involved in improving some of the medians and other small public area around town. The Town Manager said that the Town took care of the areas in the center but individuals and groups had adopted other areas. He would continue to encourage the practice and Selectman Weisfeldt mentioned that some of the school grounds were looking unkempt in the summer. The Town Manager said he would look into it.

TOWN MANAGER BIDS/CONTRACT AWARDS

Town Offices Window Replacement

The Town Manager recommended the bid award for the Town Offices window replacement to A&A Window Products in the amount of $139,016. Selectman Eliopoulos made a motion to

approve the bid award to A&A Window Products for $139,016. Motion seconded and approved unanimously.

GIS Mapping

The Town Manager recommended the bid award for the GIS Mapping System to Sanborn Map Company for a cost of $197,000. Selectman Eliopoulos made a motion to approve the bid award to Sanborn Map Company, Colorado Springs, CO for a 40 scale mapping with optional features at a cost of $197,000. Motion seconded and approved unanimously.

Roof and Flashing – North Town Hall

The Town Manager recommended the bid award for Roof and Flashing at the North Town Hall to Belcour Corp. at a cost of $563.18 per 100 S.F at an approximate price of $24,779.92 for 4400 S.F. Selectman Eliopoulos made a motion to approve the bid award to Belcour Corp. at a cost of $563.18 per 100 S.F. at an approximate price of $24,779.92 for approximately 4400 square feet. Motion seconded and approved unanimously.

SELECTMEN REFERRALS

- Selectman Eliopoulos said he was in contact with Mary Carrier of Mass Highway about arranging a meeting between Modern Continental, Mass Highway and VHB to discuss the Drum Hill interchange. He would let everyone know when it was when plans were finalized.
- Selectman Eliopoulos discussed the struggle to get sound barriers for the affected neighborhoods along the corridor. He emphasized that it was really in the hands of the legislature at this point. Modern Continental would not be building them. It was in the hands of the state. He went on to say that he would continue to put the pressure on and encouraged others to do the same.
- Selectman Eliopoulos encouraged the community to get out and vote. He stated his support for the school project and emphasized that this is a bare bones project driven to address some serious structural needs of the schools. He mentioned that Chelmsford High School was one of two high schools in the state without an auditorium.
- Selectman Moran requested an update on the need for more municipal parking particularly handicapped accessible parking in the center. The Town Manager said he had a draft of an agreement with the Sovereign Bank to provide municipal parking.
- Selectman Moran pledged his support for the school project. He urged residents to vote for it.
- Selectman McCall said that he felt the school project balanced the needs of the residents with that of the schools. Education has changed greatly in the last 25 years and the schools need to be taken care of.
- Selectman Dalton asked the Town Manager what would happen if the school vote doesn't pass. The Town Manager said items from the current capital plan would need to be cut to accommodate the highest priority items at the schools. This reprioritizing could eventually impact the operating budget affecting services. Selectman Dalton said they needed to move forward and pass the school project vote.

Next Regular Meeting

The next regular meeting is scheduled for Monday, April 7, 2004 at 7:00 pm. The Board voted to go into executive session for a brief meeting. There being no further business the regular meeting adjourned at 9:30 pm.

Respectfully submitted,

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES
April 7, 2004

The reorganization meeting of the Board of Selectmen was held on April 7, 2004 at the Town Offices at 7:00 p.m. Board members present were Stuart Weisfeldt, William Dalton, Philip Eliopoulos, Michael McCall and Thomas Newcomb. Also present was Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

SCHEDULED BUSINESS

Board Reorganization

Selectman McCall opened nominations for Chairman. Selectman Dalton nominated Stuart Weisfeldt for Chairman. Motion seconded by Thomas Newcomb and passed unanimously.

Selectman Weisfeldt assumed the duties of Chairman and opened nominations for Vice Chairman. Selectman McCall nominated Philip Eliopoulos for Vice Chairman. Motion seconded by Bill Dalton and passed unanimously.

Selectman Weisfeldt opened nominations for Clerk. Selectman Eliopoulos nominated Thomas Newcomb for Clerk. Motion seconded by Bill Dalton and passed unanimously.

Following the reorganization vote, Board members took their new places.

There being no further business before the Board, Selectman Eliopoulos motioned to adjourn, seconded by Thomas Newcomb. The regular meeting adjourned at 7:16 p.m.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, April 12, 2004 at 7:00 p.m.

Respectfully submitted,

Jeanne Parziale

Jeanne Parziale

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

April 26, 2004

Location of Meeting: Senior Center

6:30 p.m. **Call to Order**

Scheduled Business

6:30 p.m. **Joint Meeting with School Committee**

- School Project
- Update on Consolidated Maintenance

6:45 p.m. Application for Transfer of All Alcohol License:
M.W.N., d/b/a Michelle's Liquors, 124 Tyngsboro Road to Sam's Liquors

6:55 p.m. Public Hearing: Wiggin Street Acceptance

7:00 p.m. Verizon Petition for Removal and Placement of One Pole, Chelmsford Street
(public hearing not necessary)

Unscheduled Business

- Vote on Warrant Articles
- Constable Appointment
- Maple Road Stop Sign
- Cutrumbes Property

Press Questions

Next Meeting: May 10, 2004

BOARD OF SELECTMEN MEETING MINUTES
April 26, 2004

A meeting of the Board of Selectmen was held at the Senior Center on April 26, 2004 at 6:30 p.m. at the Senior Center. Selectmen present were: Stuart Weisfeldt, Philip Eliopoulos, Thomas Newcomb, William Dalton and Michael McCall. Town Manager Bernard Lynch was also present.

Verizon petition for pole replacement on Chelmsford Street: Kathy Frazier, Verizon representative, stated that she was before the Board to request removal and replacement of a pole on Chelmsford Street for the new driveway into Walgreen's. Sel. McCall made a motion to approve the replacement of the pole. The motion passed unanimously.

Joint Meeting with School Committee: School Committee members present: Angelo Taranto, Sheila Pichette, Evelyn Thoren, and Kevin Porter. Also present were: Supt. Moser, Karen Mazza, Robert Cruickshank, and Gary Persichetti. Selectmen Chairmen Stuart Weisfeldt opened the meeting by stating that they were meeting tonight to discuss consolidated maintenance and the school building project. Town Manager Lynch said the school project needs to get going, a committee needs to be appointed, and an architect needs to be hired. Mr. Lynch said the committee would probably consist of 3 citizens, staff personnel, a School Committee person and a member from the Board of Selectmen. Mr. Lynch said that Tom Newcomb would like to be the Selectmen's representative. Dr. Moser said that all the school committee members would like to serve on the committee. Mr. Lynch said that he and Dr. Moser had discussed potential candidates already and a committee would be appointed by mid-May.

Consolidated Maintenance: Town Manager Lynch said that he would like to refer Article 24 until a further study is done. He stated that they need to look at the financial implications, models of combined maintenance in other communities, and talk to Directors of Facilities where this is already in place. Dr. Moser agreed and added that there may be value in a centralized program but advised caution until all issues were resolved. He said he is striving for a model everyone will be proud of. Mr. Newcomb would like to see some time lines in place so the community knows where they are. Mr. Eliopoulos said that he does not want this to drag out. Mr. Lynch said they need to work on a Memorandum of Agreement that everyone is comfortable with. Mr. Eliopoulos made a motion to refer the article. The motion passed unanimously.

Transfer of Michelle's Liquors to Sam's Liquors: Attorney Arthur Sullivan was present representing Sam's Liquors. Atty. Sullivan stated that the applicant is requesting the transfer of an All Alcoholic Package Store license at 124-126 Tyngsboro Road and that they would be leasing the property. He said the owner has completed his alcohol server training program. Mr. McCall asked if the new owner, Sambin Sok, had experience handling alcohol. Atty. Sullivan said that he did not, but he was training with the current owner. Mr. Newcomb asked if the store will continue to be a convenience store. Atty. Sullivan said it would. Sel. McCall made a motion to continue the public hearing until the May 10th meeting. The motion passed unanimously.

Wiggin Street Acceptance: Mr. Pearson, D.P.W. Director, reported that Wiggin Street was complete and there are no outstanding items. Mr. Eliopoulos made a motion to accept the street according to plan. The motion passed unanimously.

Maple Road Stop Sign: Mr. Lynch reported that the Lockheed project brought this forward, that the stop sign would be placed at the intersection of Acton and Maple Road. Mr. Pearson said the sign would be an improvement. Mr. Eliopoulous made a motion to approve the sign. The motion passed unanimously.

Cutrumbes Property - 297 Boston Road: Mr. Lynch reported that a C.61A Notice of Intent to Sell was received in regards to property on Boston Road that abuts land owned by the Chelmsford Land Conservation Trust. The commission does not advocate the Town purchase of the property due the financial picture and the small size of the parcel. Sel. McCall reported that the Community Preservation Fund Committee may be interested in the parcel. It was agreed that the information would be passed on to the CPC for their consideration. Mr. McCall made a motion to table their vote on assignment of right of first refusal until the CPC and Land Conservation Trust have made a final decision on whether or not they would like the property.

Constable Appointment: Sel. Eliopoulos made a motion to appoint Kenneth White as Constable until the end of this calendar year. The motion passed unanimously.

Warrant Articles: Sel. Eliopoulos made a motion to approve articles 2 - 21 (articles 15 and 20 withdrawn) and wait to hear discussion on the other articles. The motion passed unanimously.

The Town Manager reported that an Executive Session was needed regarding the acquisition of real property. The Board voted to go into executive session for the purpose of discussing real property. The Board voted by roll call vote; Dalton- Aye, Eliopoulos-Aye, McCall-Aye, Newcomb-Aye, Weisfeldt-Aye. The being so further business the meeting adjourned at 7:00 p.m.

Respectfully submitted,

Marian Currier

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

May 10, 2004

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Garden Club: Donation of Gazebo to 350th Celebration - Bonnie Asbjornson

Open Session

Minutes of BOS Meetings

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

Scheduled Business

7:30 p.m. Continuation of Public Hearing: Transfer of All Alcohol License
MWN, 124 Tyngsboro Rd., to Sam's Liquors

7:40 p.m. Public Hearings: Verizon Petition to Install Conduit on Park Road
Verizon Petition to Remove One Pole & Place One Pole, Rte. 110

7:45 p.m. Chelmsford Water District Presentation

8:15 p.m. Alpine Lane Signal

Unscheduled Business
- Application for Athletic Carnival Fund-Raiser: CHS Girls Hockey

Selectmen Referrals

Press Questions

Executive Session

Next Meeting: May 24, 2004

** This meeting is televised. **

BOARD OF SELECTMEN MEETING MINUTES

MAY 10, 2004

A regular meeting of the Board of Selectmen was held on May 10, 2004 at the Town Offices beginning at 7:00 pm. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Newcomb, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

PUBLIC SERVICE ANNOUNCEMENTS

Chelmsford Garden Club

Bonnie Asbjornson, Chelmsford Garden Club came before the Board to present the Town with a gift in commemoration of the 350th Anniversary. A gazebo will be erected on the common at Vinal Square.
Selectman Eliopolous made a motion to accept the donation of a gazebo donated by the Chelmsford Garden Club in commemoration of the Town's 350th Celebration. Motion seconded and approved unanimously.
Ms. Asbjornson went on to announce that a tea will be held at All Saints Church the weekend of May 23rd to help defray the cost of the gazebo.

OPEN SESSION

Flag Donation

Mary Donavan donated a flag to be flown at the old police station, which now houses the DPW. The donation was made in the name of all Chelmsford residents that have served in the armed forces, fire fighters and police officers.
Selectman Eliopoulos made a motion to accept the flag, motion seconded and approved unanimously.

TOWN MANAGER REPORTS

Central Square Project

The Town Manager reported that structural work should be completed by the beginning of July. Landscaping would begin over the summer.

Fourth of July

The Town Manager announced that the parade will be held on July 5, 2004.

DPW Projects

The Town Manager discussed various DPW projects including sidewalk work and a culvert on Mill Road.

Traffic

Traffic continues to be a major problem around town, reported the Town Manager. Criteria is being discussed for the implementation of calming measures.

Town Clean-up

The Town Manager stated that cleaning up the appearance of the Town would be a priority. Unregistered vehicles would be towed and public land cleaned up. There would be an increased emphasis by the Building Inspector to enforce the sign by-law.

SCHEDULED BUSINESS

Transfer of All-Alcohol License, MWN Inc. dba Sam's Liquors, Continuation of Public Hearing

Selectman Eliopolous made a motion to approve the transfer of an All Alcohol License from MWN, Inc. dba Sam's Liquors. Motion seconded and approved with two abstentions (PE and TN abstained).

Verizon Petition to Install Conduit

Kathy Frasier, Right of Way Manager, Verizon appeared before the Board seeking approval for the placement of five feet of conduit to Park Road and Holly Way. Selectman Eliopolous made a motion to approve the Verizon Plan 11 dated 4/6/04. Motion seconded and approved unanimously.

Petition to Place Pole – Route 110

Motion to approve the placement of one pole and removal of one pole on Chelmsford St. at the new Walgreen's site. Motion seconded and approved unanimously.

Chelmsford Water District Report

George Allen of Dufresne Henry, with representation from the East and North Water District came before the Board to present the annual report.

Walgreen's Project

George Gamache, Realm Realty came before the Board seeking approval for the 100% approval phase of the plan.
Selectman Eliopolous made a motion to approve the 100% design portion of the Walgreens project. Motion seconded and approved unanimously.

UNSCHEDULED BUSINESS

Application for CHS Girls Hockey

Selectman Eliopolous made a motion to approve an application for a carnival to benefit the CHS girls hockey team for the dates of May 19th to the 22nd for the hours of Wednesday and Thursday from 6-10 pm, Friday 6-11 pm and Saturday 6 – 12 Midnight conditional upon a binder of insurance. Motion seconded and approved unanimously.

SELECTMEN REFERRALS

- Selectman Dalton reminded the Board that in 1986 the Town had established a sister-city relationship with a town in Estonia called Parnu. Coincidentally, Villu Tari of Chelmsford Telemedia is from the area and would be returning there for a vacation. Selectman Dalton recommended that the Board re-establish the relationship with Parnu, Estonia, and send Mr. Tari as a representative of the Town on his trip.

Selectman Eliopoulos made a motion to approve the connection with Parnu, Estonia. Motion seconded and approved unanimously.

- Selectman Eliopolous stated that he had yet to see an official report from the Town regarding sound barriers.
- Selectman Newcomb reported that a resident on Edgelawn had part of the curbing taken off by a plow.
- Selectman McCall called for a continued push for sound barriers for residents in the Twiss/Leedburg area.
- Selectman Weisfeldt mentioned that he had been in contact with an informal group called the Coalition against Drugs. He suggested that they could in some way be incorporated with the Coalition against Crime. He went on to inquire into the Police Departments report on drugs. The Town Manager said he had been provided with a draft.

NEXT REGULAR MEETING

The next regular meeting is scheduled for Monday, June 14, 2004 at 7:00 pm. The Board voted unanimously by roll to go into a brief executive session for the purpose of discussing litigation and collective bargaining. There being no further business the regular meeting adjourned at 9:30 pm.

Respectfully submitted,

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES

JUNE 3, 2003

A regular meeting of the Board of Selectmen was held on June 3, 2003 at the Town Offices beginning at noon. Board members present were Selectmen Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

SCHEDULED BUSINESS

Approve Bond Sale

Fred Mansfield, Treasurer came forward to present the low bidder for a municipal purpose loan of 2003 voted on by Town Meeting in April. The interest rate came in lower than most independent financial analysis had predicted for a ten-year issue. Selectman Dalton moved that the sale of the $2,225,000 Municipal Purpose Loan of 2003 Bonds of the Town dated June 1, 2003 to Corby Capital Markets, Inc. at the price of $2,253,537.70 and accrued interest is hereby confirmed. The bonds shall be payable on June 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2004	$300,000	1.5%	2009	$150,000	3.00%
2005	300,000	2.00	2010	150,000	3.00
2006	300,000	2.00	2011	150,000	3.00
2007	300,000	2.00	2012	150,000	3.00
2008	290,000	2.25	2013	135,000	3.00

Motion seconded and approved unanimously.
Selectman Dalton further motioned that the consent dated May 27, 2003 to the financial advisor bidding for the bonds is hereby confirmed.
Motion seconded and approved unanimously.

D.P.W. Bid Awards

Jim Pearson came forward to award contract to the low bidders for the following:

BID ITEM #	NAME	LOW BIDDER
#3	Bit. Conc./Adj. Castings	Aggregate Industries
#4	Crack Sealing	Superior Sealcoat
#5A	Basin Cleaning	John Parker
#6	Heavy Equipment Rental Roadside Mower	Drum Hill Construction Kohl Contracting
#7	Traffic Markings	Markings, Inc.

#9	Aggregate	Brox Industries/Aggregate Indust
#14	Excavation by Cold Planer	Costello Industries
#15	In-place recycling bituminous concrete	Murray Paving
#16	Vertical Granite Curb	Allied Paving
#17	Sloped Granite Curb	Allied Paving
#18	Remove/Reset Curb	T & K Enterprises.
#19	Guardrail	DeLucca Fence

Selectman Dalton moved to approve the DPW contract award bids for FY 2003 as read by Mr. Pearson. Motion seconded and approved unanimously.

MIIA Health Insurance Contract

The Town Manager reported that the health insurance contract for the town had been awarded to Massachusetts Interlocal Insurance Agency (MIIA) Health Trust for a 2-year contract.
Selectman Dalton made a motion to approve the award of the health insurance contract to MIIA Health Trust for the term of July 1, 2003 to June 30, 2005. Motion seconded, contract approved unanimously.

July 4 Vendors

Selectman Moran made a motion to approve the annual restriction of vendors from the Fourth of July festivities from the area designated from Route 495 to Worthen St. Motion seconded and approved unanimously.

Solomon Mental Health Center Resolution

Selectman Moran requested the Board approve a resolution created by Dick Howe requesting legislature not cut funding to the Solomon Mental Health Center in Lowell. A cut in funding would close the Center. The Center currently services over 800 community residents. Those receiving services would be forced to travel to Pembroke to continue receiving care.
Mr. Lynch read the resolution, which recommended rescinding a budget cut that, would force the closure of the center. Selectman Moran moved to sign the resolution to keep the Solomon Health Center open. Motion seconded. Selectman Dalton disclosed that he worked as an independent contractor to the Greater Lynn Mental Health Center. Motion approved unanimously.

SELECTMAN REFERRALS

Drainage Issue-Moccasin Lane

Selectman Dalton brought forward the concerns of a resident on Moccasin Lane. The resident maintain that sewer work has created a situation where water is pooling on his

property. The resident feels that curbing would solve the situation. Mr. Lynch pointed out that curbing is for drainage and not aesthetic reasons. However, he would look further into this particular situation.

Graniteville Road

Mr. Lynch said that there had been an error in failing to notify a resident of roadwork done on Graniteville Road. It is a matter of course to notify all abutters of roadwork but in this case it hadn't happened. However there was a legal notice in the paper announcing the work. The resident was apologized to for the error.

NEXT REGULAR MEETING

The next regular meeting is scheduled for Monday, June 9, 2003 at 7:00 pm. There being no further business the regular meeting adjourned at 1:00 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

June 14, 2004

6:30 p.m. **Executive Session**

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- John Harrington - Donation to 350th Celebration with Jeff Hardy, Chairman of Fundraising
- ATEF Grant Recipients

Open Session

Minutes of BOS Meetings
- December 15, 2003

Town Manager Reports

Town Manager Appointments
- School Building Committee

Town Manager Bids/Contract Awards
- DPW Awards
- Consultant - Affordable Housing Plan

Scheduled Business

7:15 p.m. F. Mansfield: Approval of Temporary Borrowing for Sewer Project (BOS Vote)

7:30 p.m. Application for a One Day Beer & Wine License: Gold's Gym

7:35 p.m. Public Hearing: Petition of Kronos, Inc. to Install Conduit on Elliot Street

7:40 p.m. Public Hearing: Petition of Verizon/Mass. Electric to Install Cable on Glen Ave.

7:45 p.m. Atty. Douglas Hausler: LIP/Comprehensive Permit Project – Robin Hill Meadows

** This meeting is televised. **

Unscheduled Business

- BOS Vote: Grant of Easement, Academy Street
- Memorandum of Understanding - Chelmsford Telemedia Corp.
- Morning Glory Realty Trust – Donation of Land

Selectmen Referrals

Press Questions

Executive Session

Next Meeting: **June 28, 2004**
(Tentative: Goal Setting/Work Session)

*** This meeting is televised. ***

BOARD OF SELECTMEN MEETING MINUTES

JUNE 14, 2004

A regular meeting of the Board of Selectmen was held on June 14, 2004 at the Town Offices beginning at 7:00 pm. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Newcomb, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and Jeanne Parziale, Assistant to the Town Manager.

PUBLIC SERVICE ANNOUNCEMENTS

350th Celebration

Jeff Hardy, President of the Chelmsford Business Association presented the Board with a commemorative stein. John Harrington, Harrington Wine and Liquors, donated 100 steins to the 350th Celebration Committee to be sold as a fundraiser.

Mr. Harrington said the business community is supportive of the upcoming 350th Celebration, as they have been in past years noting business donations during the 300th Tercentennial. He stated that the business owners would not let the residents down.

ATEF Grant Recipients

Evelyn Thoren thanked the Board for their continued support over the years of the Arts and Technology Education Fund. This annual event was made possible by a vote at the 1996 Spring Town Meeting to establish the ATEF By-law. All funds collected are used to enhance the existing educational curriculum. Funds do not become a part of the School budget. A restriction is in place to expend funds in the areas of Liberal Arts, Fine Arts and Technology. Applications are available now online through a link from the Town website after January 1st and are due no later than March 31st of the same year. A seven-member committee appointed by the Town Manager reviews the grant applications and manages the funds. Money must be expended by the end of the academic year or they are returned to the original account. Any leftover money remains in the original account. Donations can be made by using a tear off sheet from the excise and real estate tax bills or by mailing or dropping off a check in the Tax Office. Checks should be made out to ATEF c/o Town of Chelmsford. Donations are anonymous. The ATEF creates a positive impact on the students in the Chelmsford public schools. Evelyn thanked all residents who contribute.

ATEF Chair, Ed Morassi stated that this year the ATEF Committee focused on publicity and noticed a significant increase in donations after sending a newsletter home with the students.
To date, $53,790 has been collected with 51 grants disbursed totaling $32,275. The goal of the committee was to set some money aside each year to make the ATEF self-sustaining. A total of $6,210 in interest has been generated to date allowing for more grants to go out. This year seven grant proposals were approved in the amount of $4,675. Mr. Morassi presented the 2004 ATEF awards to the following recipients:

1. Carol Gruel - $500 Chromosome Simulation
Science kits for 10th grade biology.

2. Mary Moriarty and Nancy Kiernan - $750 Interdisciplinary Research Project
Enhancement to a newly piloted online magazine viewed on the school website.

3. Cheryl Polkowski - $700 HP Color Laser Printer
Introduce color at the elementary level with a color printer, which will travel to all elementary schools for use with lap top computers.

4. Deborah Dubray - $720 Pedometers in Physical Education
Kindergarten through grade four tangible step counter.

5. Madelena Alves, Amy Acre, Christine Maloof - $670 Kid Pix Software
Center and Westlands Schools will use software to enhance creativity and explore technology with students.

6. Mary Brockmeyer-Martin, Kathryn Chamberland and Brent Conway - $600
Visual Literacy and Media Project

7. Ellen Shields - $750 LCD Projector
Center School writing instruction to promote good writing and revision.

OPEN SESSION

Jeff Stallard, Town Celebrations Committee member, appeared before the Board of Selectmen to request approval of a no peddler zone in accordance with the Anti-peddler law for profit and consistent with the area mapped out in previous years during the July 4th Country Fair and Parade on Sunday July 4 and Monday July 5, 2004. Selectman Eliopoulos made a motion to support, Selectman Newcomb seconded the motion and the vote was unanimous.

David Eacrett, 11 Leedberg Street, appeared before the Board of Selectmen to ask for their continued support of the sound barriers for Rt 3 North. He requested the Board make attempts to convince Governor Romney and Mass Highway of the need to erect sound barriers on behalf of the residents living in Chelmsford, Billerica, Bedford and Lexington. He noted that with the tree clearing and traffic noise has intensified to create a poor quality of life issue for residents living along Rt 3. Selectman Eliopoulos asked if Mr. Eacrett would support the sound barriers proposed by Mass Highway at a November 2003 meeting held. Mr. Eacrett stated he was against using "glorified telephone poles" as

sound barriers because they do not work to absorb the noise. Mr. Eacrett noted that sound barriers were erected along Rt 3 to protect wildlife but wants to know why that concern does not apply to human lives. Mr. Eacrett expressed concern not only for himself, but future generations as well. The Board assured Mr. Eacrett that they will continue efforts to seek support for Rt 3 sound barriers.

Evelyn Thoren appeared before the Board to request signage at the Harrington School directing traffic flow around the school particularly during elections. The Town Manager said this could be easily resolved and would ensure proper signage.

Ruth Luna appeared before the Board giving thanks for their continued support for Princeton Properties at Rivermeadow before the HAC. As Princeton has filed a MEPA statement, the deadline for comments from the Town is June 29, 2004. Ms. Luna asked if the Board would be filing its comments. The Town Manager stated that staff is currently reviewing the MEPA filing and will be filing its comments as well as comments from the Board.

BOS Minutes – December 15, 2003

Selectman Eliopoulos made a motion to approve the minutes from the December 15, 2003 meeting. Motion seconded and passed unanimously.

SCHEDULED BUSINESS

Approval of Temporary Borrowing for Sewer Project - Fred Mansfield was unavailable to appear before the Board as he is attending the Treasurers' Spring Conference. The Town Manager requests to award the bond sale to First Southwest, the low bidder offering a 1.67% net interest rate on $2,589,550.00. A premium cost of $33,838.25 was required to secure the rate. This concludes the bonding for the Sewer Project under the bonding exemption vote of 1993. Selectman Eliopoulos made a motion that the Board approve the sale of $2,589,550.00 3% bond anticipated note of the Town dated June 22, 2004 and payable on June 16, 2005 to First Southwest Company at power and accrued interest, plus a premium of $33,838.25 and further to confirm the consent dated June 10, 2004 to the financial advisor bidding for the note. Selectman Newcomb seconded the motion. No discussion. BOS vote was unanimous.

Mr. Lynch commented that with the bond sale, it is reviewed of course by Standard and Poor and they reiterated their comments regarding the Town's financial well-being, the local economy and the financial management systems that are in place in the Town. They are very complimentary and give a very good bond rating for us.

Application for a One Day Beer and Wine License: Gold's Gym – Rick Dupree, General Manager, Gold's Gym appeared before the Board to request approval of a One Day Beer and Wine License following a 5K road race, the third race being held to raise funds for Kids and Disability in Sports. The event is scheduled for June 20, 2004 from 1:00 p.m. – 7:00 p.m. As part of the road race fee, food, beer and wine will be given away to the runners. TIPS certified personnel will be serving. Selectmen Eliopoulos made a motion to approve a One Day Beer and Wine License for June 20, 2004 to Gold's Gym at 5 Courthouse Lane in Chelmsford for a period of time from 1:00 p.m. to 7:00 p.m. Selectman Newcomb seconded the motion. No discussion and vote is unanimous.

Public Hearing: Petition of Kronos, Inc. to Install Conduit on Elliot Street – Dennis Matthews appeared before the Board representing Kronos, Inc. They are requesting to extend the fiber optic cable from their headquarters building at 297 Billerica Road to space their leasing at 285 Billerica Road. Kronos needs to place 4-inch conduit between the two buildings under Elliot Street. Selectman Dalton asked if they intend to dig up Elliot Street. Mr. Matthews indicated Kronos would dig up Elliot Street and resurface it. Bernie Lynch, Town Manager stated that Jim Pearson, DPW Director has reviewed the petition and does not have any problem with the petition. Chairman Weisfeldt asked if there were any questions or discussion as this is a public hearing. Hearing none, Selectman Eliopoulos moved to close the public hearing. Selectman Newcomb seconded the motion and the Board voted unanimously to close the public hearing. Selectman Eliopoulos made a motion to approve the laying of underground conduit on Elliot Street as shown on the petition plan dated June 1, 2004 for Kronos at 297 Billerica Road and 285 Billerica Road. Selectman Newcomb seconded the motion. No discussion and the vote is unanimous.

Atty. Douglas Hausler: LIP/Comprehensive Permit Project – Robin Hill Meadows
Atty. Douglas Hausler from the law firm of Lampert, Hausler and Rodman at 4 Meetinghouse Lane, Chelmsford appeared before the Board representing the applicant Robin Hill Meadows LLC. Joseph Peznola from Hancock Associates engineering firm and Mr. Emanouil, builder also present. The purpose is to obtain the Board of Selectmen endorsement at this meeting or the next scheduled meeting for the project being proposed at 147 Robin Hill Road. The applicant is proposing to build 20 single family detached condominiums as a friendly 40B plan. A Memorandum of Agreement between Ed Marchant and David Hedison, Chelmsford Housing Authority Director negotiated the price of 5 four-bedroom Affordable Housing units at $182,000. The Chelmsford Housing Authority reserves the right to determine the need for 3 or 4 bedroom units. The applicant is happy to accommodate the needs of the Housing Authority. The asking price for the remaining units will be between $435,000 and $450,000. Abutters include Chelmsford Swim and Tennis Club. A copy has been provided to the Board. Each home will have a two car garage with two additional parking spaces

provided. A path with additional parking is proposed leading to the proposed Bike Path. This 11.69 acre site will offer wide open space with 1.8 units per acre.

UNSCHEDULED BUSINESS

BOS Vote: Grant of Easement, Academy Street

Selectman Eliopolous moved to accept the easement on Academy Street for the purpose of sidewalk work, motion accepted and approved unanimously.

Memorandum of Understanding – Chelmsford Telemedia Corp.

The Town Manager explained that the Chelmsford Telemedia is a nonprofit entity that provides local cable services for a 4.25% access fee. The contract has been the same for the last eight years. Selectman Eliopolous made a motion to approve the memo of understanding with the Chelmsford Telemedia group. Motion seconded and approved unanimously.

Morning Glory Realty Trust – Donation of Land

The Town Manager explained that the Conservation Commission has accepted the gift of land and would like the approval of the Town to accept Parcel 130-3493-1 on Acton Road from Morning Glory Realty Trust. The Board asked some questions regarding the land. The land is .09 acres and adjoins existing conservation land. Selectman Eliopoulos moved to vote to accept the property. Motion seconded and approved unanimously.

Special Town Meeting

Selectman Eliopoulos made a motion to call a Special Town Meeting to be held on June 30, 2004 at 7:30 p.m. for the purpose of voting on three warrant articles. Motion seconded and approved unanimously.

TOWN MANAGER APPOINTMENTS

School Building Committee

The Town Manager requested the Board vote to approve his appointment of the following individuals to the School Building Committee:

Patrick Maloney, Chair	Citizen
Robert Cruickshank	Business Manager, School Department
Steven Lyons	Citizen
Fred Mansfield	Finance Director
Thomas Mills	School Committee
Thomas Newcomb	Board of Selectmen
David Turocy	Finance Committee

Selectman Eliopoulos made a motion to approve the Town Manager's appointment of the above individuals to the School Building Committee. Motion seconded and approved unanimously.

TOWN MANAGER BIDS/CONTRACT AWARDS

DPW Awards

The Town Manager requested the Board approve his bid awards for the following DPW items to the low bidders as listed:

BID ITEM #	NAME	LOW BIDDER
#3	Bit. Conc./Adj. Castings	Aggregate Industries
#4	Crack Sealing	Superior Sealcoat
#5A	Basin Cleaning	John Parker
#6	Heavy Equipment Rental Roadside Mower	Drum Hill Construction Kohl Contracting
#7	Traffic Markings	Hi-Way Safety
#9	Aggregate	Brox Industries
#14	Excavation by Cold Planer	Garrity Asphalt
#15	In-place recycling bituminous concrete	Murray Paving
#16	Vertical Granite Curb	Allied Paving
#17	Sloped Granite Curb	Allied Paving
#18	Remove/Reset Curb	McIver Bros.
#19	Guardrail	DeLucca Fence

Selectman Eliopoulos moved to approve the DPW bid awards to the above bidders as listed. Motion seconded and approved unanimously.

Consultant – Affordable Housing Plan

The Town Manager recommended the Board approve his award of the Affordable Housing Plan to Daylor Consulting Group. The award was based on the overwhelming recommendation of the Affordable Housing Master Plan Committee over Koff and Associates.
Selectman Eliopoulos made a motion to approve the contract award to Daylor Consulting Group for the Affordable Housing Plan. Motion seconded and approved unanimously.

TOWN MANAGER REPORTS

Center Project

The Town Manager reported that the lights in Central Square are operational. As expected, there have been some problems that are being worked out.

Bike Path

The Bike Path will be put out to bid this summer with the project starting in the fall.

Finance Director

Fred Mansfield has tendered his letter of resignation after serving as Finance Director for eleven years. The Town Manager went on to praise what Fred has accomplished during his tenure.

4th of July and 350th Celebration

The Town Manager reported that plans for the 4th of July parade are going forward. Raffle tickets are being sold with the proceeds going towards the 350th celebration. Fundraising efforts will stepped up for the 350th.

Road Construction

Construction on Golden Cove Road will be a combination of work done by the Town and work contracted out.

Building Inspector

The Town Manager commended Tony Zagzoug for 18 years of service to the Town as Building Inspector. He went on to congratulate Mr. Zagzoug for being recognized by the State Board of Inspectors as Building Inspector of the Year.

SELECTMEN REFERRALS

- Selectman Dalton questioned the work left to be done including striping and signage at Drum Hill. Selectman Eliopoulos responded that the primary focus for Modern Continental is to get the three lanes operational on Route 3.
- Selectman Dalton commented on the sidewalks on Old Westford and how they are coming along. He also passed along requests from residents to extend the sidewalks all the way out to Westford.
- Selectman Eliopoulos asked for an update on a report that was to be prepared on drug use in the schools and in the Town in general. The Town Manager said that there was a draft and the Police department would report at the July meeting. The Town Manager was currently looking at some staffing issues.
- Selectman Eliopoulos reported on traffic calming measures being taken around Town particularly on Sycamore St. The Town Manager said a traffic calming policy setting forth the criteria for such measures is being drafted.
- Selectman Eliopoulos requested that a status report be given on some of the ongoing projects and concerns. The Town Manager said that he hoped to arrange a joint meeting. The stabilization fund needs to be discussed. He would also like to have Dean Carmeris come in and deliver an interim report on the work being done by the Classification Committee.
- Selectman Dalton reported that the Planning Board had approved the Sovereign Bank plans.

- Selectman Weisfeldt announced the committee liaison assignments as follows:

School committee	Tom Newcomb
Sewer commission	Stuart Weisfeldt
Planning Board	Bill Dalton
Library	Mike McCall
Board of Health	Stuart Weisfeldt
Cemetery	Stuart Weisfeldt
CPA	Mike McCall
Route 3	Phil Eliopoulos
LRTA	Jim Goode

- Selectman Weisfeldt went on to congratulate the Class of 2004 and the baseball and softball teams for their accomplishments.

The next regular meeting is scheduled for Monday, June 28, 2004 at 7:00 pm. There being no further business the regular meeting adjourned at 8:35 pm.

Respectfully submitted,

Donna McIntosh

CHELMSFORD BOARD OF SELECTMEN

MEETING AGENDA

June 28, 2004

Work Session - Room 205

REVISED

7:00 p.m. Call to Order

7:05 p.m. Executive Session

- Legal Update: Town Counsel

7:30 p.m. Unscheduled Business

- Town Manager Appointment

  Director of Finance

- Annual BOS Appointments

  Town Counsel: Kopelman & Paige
  Capital Planning Committee: Dennis Bak, John Morrison

- BOS Votes
  1. Vacate Decree - Tax Foreclosure, 25-27 Wright Street
  2. Vacate Decree - Tax Foreclosure, 25 Pearson Street

- Resignation of Library Trustee

7:35 p.m. Work Session

- Overview of Current and Prior Year's Projects
- Roundtable Discussion of Goals
- Summary
- Next Steps

Next Regular Meeting: July 19, 2004

BOARD OF SELECTMEN MEETING MINUTES

June 28, 2004

A meeting of the Board of Selectmen was held on Monday, June 28, 2004 beginning at 7:40 p.m. in the Town Offices, 50 Billerica Road. In attendance were Selectmen Weisfeldt, Eliopoulos, Newcomb, Dalton and McCall. Also present were Town Manager Bernard F. Lynch, Assistant to the Town Manager Jeanne Parziale, and John Giorgio of Kopelman & Paige, Town Counsel.

Board of Selectmen Annual Appointments

Town Counsel

Selectman Eliopoulos made a motion to re-appoint Kopelman & Paige the Town of Chelmsford Legal Counsel. Selectman McCall seconded. Motion to approve Kopelman & Paige Town Counsel passed unanimously.

Capital Planning Committee

Selectman Eliopoulos made a motion to re-appoint John Morrison to the Capital Planning Committee for a one-year term. Motion seconded, approved unanimously.

Selectman Eliopoulos made a motion to re-appoint Dennis Bak to the Capital Planning Committee for a one-year term. Motion seconded, approved unanimously.

Town Manager Appointment

Mr. Lynch informed the Board that he had received about 20 applications for the Finance Director position. There was one outstanding candidate, Ms. Kerry Speidel, who is currently Finance Director in the Town of Sudbury. After an interview and successful reference checks, Mr. Lynch stated that he would like to offer the position to Ms. Speidel with the Board's concurrence. The Board reviewed her resume and requested some details on her background and credentials for this high level position. They indicated their satisfaction that she was the most qualified candidate. Selectman Eliopoulos made a motion to approve the Town Manager Appointment of Ms. Kerry Speidel as Finance Director for the Town of Chelmsford effective July 30, 2004. Selectman McCall seconded, motion to approve the Town Manager appointment of Ms. Speidel approved unanimously.

BOS Votes to Vacate Decree of Foreclosure

The Town began foreclosure proceedings on two properties, 25 Pearson Street, and 25-27 Wright Street, for non-payment of real estate taxes.

The Tax Collector reported that all taxes had been paid and brought up to date on both properties.

Selectman Eliopoulos made a motion to vacate the decree of foreclosure on 25 Pearson Street. Selectman McCall seconded, motion approved unanimously.

Selectman Eliopoulos made a motion to vacate the decree of foreclosure on 25-27 Wright Street. Selectman McCall seconded, motion approved unanimously.

Resignation of Library Trustee

Robert Sullebarger submitted a letter of resignation as a Library Trustee. The vacancy will be filled by a vote to be taken at a joint meeting of the Selectmen and Library Trustees scheduled for July.

Work Session

Overview of Current and Prior Year's Projects

The Town Manager distributed copies of a report covering the above. He highlighted some older completed projects such as the Southwell Park, Codification of By-Laws, Fee Study, Skateboard Park, Penni Lane Property, Chelmsford Country Club Eminent Domain, and Roberts Field Improvements, to name a few. Some newer projects include Central Square Re-design, (ongoing), Varney Park Playground, Police Station, Employee Health Insurance improvements and cost reduction.

Continuing projects include the Bike Path, Central Square Re-Design, School Building Project, 350th Anniversary Celebration, Utility Undergrounding, Affordable Housing Strategy, North Town Hall, and Tax Relief/Stabilization, and Community Preservation.

Mr. Lynch asked the Board what they would like to see him focus on as priorities in the coming months. Suggestions were made as follows:

- Fee Study. It is a good time to review the current fee structure. Licenses could be done this year, and permit fees next year.
- Traffic calming. This is one of the biggest issues facing the Town. Several areas need closer study such as Maple and Acton Roads, Smith and Parkhurst Streets, and Locust and Byam Roads.
- Master Plan. There was some discussion about reviewing the Master Plan and issuing an RFP for such in 2005.
- Economic development. Use the Chelmsford web site to "advertise" Chelmsford as a business location.
- Financial stability.
- Public Transportation. Install sidewalks.
- Government Organization. Review Town Charter.

Selectman Newcomb asked Mr. Lynch if there were any projects "on hold." Mr. Lynch replied that the Town had not heard anything on the Nashua to Boston Railroad in several months.

Selectman Newcomb indicated he would be in favor of a review of the Town Charter. He thought there might be some support for this in the community.

Mr. Lynch told the Board he would fine-tune the Board's suggestions on what the priorities should be and present the information to them in writing in the form of Town Manager/BOS Goals.

There being no further business the meeting adjourned at 9:40 p.m.

Respectfully submitted,

Janet Murphy

Janet Murphy

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

July 19, 2004

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

- Presentation to Thomas E. Moran
- Sean Sullivan, Recipient of Comcast Scholarship
- "Heart Saver Community" Award – Judy Dunigan, Town Nurse

Open Session

Minutes of BOS Meetings

- Selectmen: January 26, 2004
  February 2, 2004
  February 23, 2004
- Executive Session: April 29, 2004

Town Manager Reports

Town Manager Appointments
- Annual Appointments
- School Building Committee

Town Manager Bids/Contract Awards

Scheduled Business

7:25 p.m. **Joint Meeting with Library Trustees**
- Appointment of Library Trustee

7:35 p.m. Public Hearing: Country Club Too, Application for a Change in Premises

7:45 p.m. Reports by Chief McCusker
- Drugs in the Community
- Proposed Amendment to Traffic By-Laws: Motorized Scooters

8:15 p.m. Application for One-Day Alcohol License: Sts. Vartanantz Church

8:20 p.m. Classification Committee Update: Dean Carmeris, Chairman

-- more --

** This meeting is televised. **

Unscheduled Business

- BOS Vote: Robin Hills Meadows

Selectmen Referrals

Press Questions

Executive Session

Next Meeting: August 23, 2004

*** This meeting is televised. ***

BOARD OF SELECTMEN MEETING MINUTES

July 19, 2004

A regular meeting of the Board of Selectmen was held on Monday, July 19, 2004 beginning at 7:00 p.m. in the Town Offices, 50 Billerica Road. Present were Selectmen Weisfeldt, Eliopoulos, McCall, Newcomb and Dalton. Also present were Bernard Lynch Town Manager, and Jeanne Parziale, Assistant to the Town Manager.

Public Service Announcements

Comcast Leaders and Achievers Scholarship Recipient

Sean Sullivan, a 2004 graduate of Chelmsford High School, was awarded a $1,000 scholarship from Comcast Foundation. Mr. Sullivan received a Certificate of Congratulations from the Selectmen. Mr. Robert Carr, director of government relations for Comcast, told the Board that Mr. Sullivan was chosen for his demonstrated leadership qualities and scholastic achievement. He was nominated for the scholarship by Allen Thomas, principal of CHS.

Heart Saver Community Award

Judy Dunigan, Town Nurse, explained the Town had been named a "Heart Safe Community" by the American Heart Association. Designation as a Heart Safe Community recognizes that the community has met criteria established by the American Heart Association, which increase survivability of a cardiac arrest victim within the respective town or city. Ms. Dunigan said that a collaborative effort by the Town, Fire Department, School Department, Board of Health and Police Dept. made the award possible. Zoll Medical Corporation of Chelmsford donated the defribillators for use in public buildings, and employees received training in their use. Mr. Lynch recognized Ms. Dunigan for leading this project.

Recognition of Selectman Moran

The Selectmen presented former selectman Tom Moran with a chair in recognition of his service to the Town as a selectman for six years. Mr. Moran thanked the Board and said he was very pleased to receive it, and that it had been a privilege to work with the members on many issues during his two terms. He stated that he was not officially retired and wanted to remain active in Town affairs.

Open Session

Resident Input – Robin Hill Meadows

A number of residents spoke in opposition to the proposed 40B project known as Robin Hill Meadows. They are concerned with the number of homes being proposed for the site and increased traffic problems that will result. They are also concerned with the potential loss of the rural atmosphere and the impact on a home of historical significance that is located on the parcel. The residents as a group asked the Selectmen to consider the magnitude of the project on the neighborhood. They also expressed their dismay that "affordable housing" would be made

available to members of the community, without any apparent regard for residents already living on the street.

Selectman Eliopoulos explained that cities and towns have little, if any, control over 40B projects such as this, but in this case, they are taking the residents' concerns under advisement. He stated that every effort will be made with the developer to produce a housing project that is aesthetically pleasing and fulfills the requirements of 40B without very much negative impact on the neighborhood. He stressed that a 40B project of another type "could be worse" than this particular project.

Fourth of July Celebration

John Chemaly was thanked for his efforts in organizing this year's Fourth of July Parade.

Approval of Meeting Minutes

Selectman Eliopoulos made a motion to approve Selectmen Minutes of January 16, 2004, February 2, 2004 and February 23, 2004. Motion seconded, approved unanimously.

Selectman Eliopoulos made a motion to approve Executive Session Minutes of April 29, 2004. Motion seconded, approved unanimously.

Joint Meeting with Library Trustees

Selectman Weisfeldt called the joint meeting of the Board of Selectmen and the Library Trustees to order at 7:25 p.m. The purpose is to appoint a Library Trustee to fill a vacancy created by Mr. Robert Sullebarger, who moved out of Town. Two candidates presented their credentials: Linda Hubbard, an interested resident and avid user of the Library with her family, and Edmond Roux, who ran for Library Trustee in the last election and was defeated.

Selectman Eliopoulos nominated Mr. Roux. Selectman Newcomb seconded.

Selectman Dalton elected Ms. Hubbard. Selectman Weisfeldt seconded.

The Library Trustees nominated Ms. Hubbard.

Selectman Weisfeldt closed the nominations. By roll-call vote, four votes were cast for Mr. Roux. Five votes were cast for Ms. Hubbard. Ms. Hubbard was appointed to serve the remaining term of Mr. Sullebarger as Library Trustee.

Town Manager Reports

Mr. Lynch distributed a draft Traffic Calming Policy. This is in response to the June 28 Work Session in which traffic management became a goal.

Mr. Lynch discussed a memo entitled Selectmen Priorities for Town Administration that he had prepared for the Board also in response to the Work Session. There are four priorities as follows:

- Transportation
- Fiscal Stability
- Government Structure
- Economic Development

Selectman Eliopoulos suggested taking the priorities and related issues and discussing them as agenda items at specific Selectmen meetings.

With regard to Central Square, changes are in process to clarify the flow of traffic through the center to Littleton Road, and coming in from Route 4.

The Rotary Island on Route 129 has been refurbished with the help of several landscaping companies who donated materials and labor. Mr. Lynch thanked all who assisted with the project.

The Golden Cove traffic signalization project is under way. DPW is doing the work. The Alpine Lane signal is expected to be in by the end of August.

Finances are expected to be tight in FY05. Mr. Lynch hopes for the return of some Lottery funds to the cities and towns, noting a projected $700 million State surplus.

Town Manager Appointments

Mr. Lynch presented his list of Annual Appointments, noting that several vacancies existed and that he would get the word out to the community via the newspapers and cable regarding the openings. He also informed the Board that he would like to appoint Mr. Alexander Buck to the School Building Committee.

Selectman Eliopoulos made a motion to approve the Town Manager Annual Appointments for 2004. Motion seconded and approved unanimously.

Public Hearing – Country Club Too, Application for Change in Premises

Mr. David Cunha is seeking permission to add two decks to Country Club Too on Parkhurst Road. Mr. Lynch and the Board wanted to make certain that no added capacity would occur as the result of the additions to the building. Mr. Cunha replied that it is a place for smokers to go because they cannot smoke in the building. He added that the decks could not be accessed from outside the building. The Building Inspector had approved the plan. There were no questions from abutters.

Selectman Eliopoulos made a motion to close the public hearing. Motion seconded, passed unanimously.

Selectman Eliopoulos made a motion to approve the addition of two decks *with no added seating capacity* as a result. Motion seconded, passed unanimously.

Reports by Chief McCusker

Drugs in the Community

Chief McCusker discussed the Police Department report "A Report on Current Illicit Drug Use and Distribution in Chelmsford." He explained that investigating drug problems is labor and time-intensive. It is a community problem. He predicted that the addition of five new recruits in January 2005 would give some needed manpower to the issue.

Chief McCusker emphasized his growing concern about the increasing presence of drugs in the Chelmsford schools. He and Deputy Chief Roark met with Supt. Moser and are drafting a proposal to investigate the problem in the school buildings with the use of specially trained dogs. A "zero tolerance" posture is the goal of the Police Department.

Selectman Eliopoulos offered the Board's full support and assistance in combating the drug problem everywhere in the community. The Police Chief thanked the Board for their concern, and added that the Chelmsford Police Department is fully committed to the task of fighting the drug war if it has the proper resources.

Proposed Amendment to Traffic Rules and Orders: Motorized Scooters

Motorized scooters are presenting a problem in the community as there are no regulations regarding their use. The Registry of Motor Vehicles has left the matter to individual communities to regulate. Chief McCusker would like to see scooters treated just like motor vehicles with all the same rules of the road applying to their use. He proposes an amendment to the Traffic Rules and Orders pertaining to the operation of motorized scooters requiring that operators obey the laws of the road of the Commonwealth of Massachusetts.

Selectman Eliopoulos made a motion to amend the Town of Chelmsford Traffic Rules and Orders Chapter 203 as follows:

Under Section 203 – 1 Definitions: Add the words motor scooters
Any scooter with two or more wheels that is gasoline or alcohol fueled or electrically powered (this definition does not apply to wheel chair or mobility scooters equipped with a seat).

Under Section 203 – 6 Persons propelling push carts riding bicycles or animals Add the words motorized scooters.

Selectman Newcomb seconded, motion passed unanimously.

Application for a One-Day Alcohol License, Sts. Vartanantz Church

Richard Madanjian requested a One Day License for the church's Annual Picnic on August 15, 2004. Selectman Eliopoulos made a motion to approve a One Day Alcohol License for Sts. Vartanantz Church from 12 Noon to 6:00 p.m. on August 15, 2004. Selectman McCall seconded, license approved unanimously.

Classification Committee Update – Dean Carmeris, Chairman

Mr. Carmeris reported that the committee had been meeting every other week since February. They have spent a lot of time educating themselves about tax classification. There is a lot of data available from many sources, including the Dept. of Revenue. The committee surveyed 21 comparable cities and towns to find out what kind of tax structure they have. About 50% have tax classification. Mr. Carmeris stated the communities surveyed were very helpful and interested in the process that the committee was using to do its work. A final presentation is expected in late September or early October.

Selectman Eliopoulos praised the committee for its hard work and looks forward to their recommendations.

Robin Hill Meadows

Attorney Doug Hausler and Joe Peznola representing Hancock Associates, and Chuck Emanouil of Emanouil Brothers appeared before the Board to discuss a proposed 40B LIP project called Robin Hill Meadows to be built near the end of Robin Hill Road. Mr. Hausler stated that he would like to hear the comments in the memos provided Jim Pearson and Andy Sheehan who reviewed the project in depth. Selectman Weisfeldt read the two memos.

Mr. Lynch stated that he had a letter from the Historical Commission on their understanding of the project from discussions with the developer. Their concern is the antique home on the property.

Mr. Hausler described it as a well thought-out, attractive development of single family homes with 3 to 4 bedrooms. There will be some in the range of $167,000 to $183,000 deemed "affordable." Mr. Hausler claims there is nothing like it available at this time. He stated that his client wants to build the best possible project, taking everyone's concerns into consideration.

Selectman Dalton asked if there was the possibility of a neighborhood meeting of the abutters taking place. Mr. Hausler said that a meeting could be arranged.

Selectman Eliopoulos said he was worried about traffic and safety on this type of narrow, winding road.

Selectman Newcomb stated that he would really like to see the antique home re-located on a parcel within the development. It is very important to preserve this building. He also would like to see an easement granted for access to the bike path. Mr. Hausler assured the Board that their issues regarding the historic home and easement would be addressed.

Selectman McCall aired his concerns about the historic home as well, and that he thinks a neighborhood meeting is a good idea as is coordination with the Historical Commission on the project.

Selectman Weisfeldt asked about a sidewalk and a fence between the property and the Swim Club. He is also concerned about the historic home.

Selectman Newcomb stated he would like to hear a commitment about caring for the historic home.

Mr. Hausler said he would provide updates at all levels of the application process. He has made a note of all of the concerns raised by the Board and stated he would work with the Town on the project.

Mr. Lynch said the matter should be continued until the August 23 meeting to allow for a meeting with the neighbors. He would like a Board member to act as liaison with the project and suggested Bill Dalton who handles housing matters.

Selectman Weisfeldt asked if there were any more comments from the public. There were not. Selectman Eliopoulos made a motion to continue discussion on Robin Hill Meadows until the August 23 meeting. Selectman McCall seconded, motion passed unanimously.

BOS Referrals

The Selectmen stated that they had received call from residents on Lovett Lane regarding a water main break who were frustrated at the long wait for its repair and the deteriorating road conditions. Mr. Lynch explained that he was working with the proper departments to repair the road.

Selectman Dalton said he thought the lights at Technology Drive at Route 3A were not synchronized properly. Mr. Lynch will look into it.

Selectman Eliopoulos said that he finds some of the signs in the Center confusing. He noted the excellent Fourth of July Celebration that was held this year with the help of donations from the public, and many volunteers who coordinated the events. The celebration cost the Town about

$1,000. The Carson Road Race was written up in New England Runner magazine as one of the top 100 runs in the country.

Selectman McCall said that he and Selectman Eliopoulos continue to work with the Governor's Office on trying to get sound barriers for neighborhoods in North Chelmsford.

Selectman Weisfeldt said paving was under way on several streets as part of the sewer work.

Next Regular Meeting

The next regular meeting is scheduled for Monday, August 23 at 7:00 p.m. There being no further business, the regular meeting adjourned at 10:15 p.m.

Respectfully submitted,

Janet Murphy

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

August 23, 2004

6:15 p.m. **WORK SESSION (Meet in Manager Conference Room)**

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

- Larry Khirallah – Chelmsford Coalition Against Drugs

Open Session

- Freeman Lake Weed Removal

Minutes of BOS Meetings

- Board of Selectmen: June 28, 2004
- Executive Session: June 28, 2004

Town Manager Appointments

Town Manager Bids/Contract Awards

Scheduled Business

7:25 p.m. School Building Project: D. Gordon

7:35 p.m. Dog Hearing: Duke, 291 Boston Road, Barking Dog

7:50 p.m. Public Hearing: Application for Auto Dealer's License
Beantown Motors, 14 Kidder Road

7:55 p.m. Public Hearing: Application for Auto Dealer's License
G & G Auto, 293 Littleton Road

8:00 p.m. Public Hearing: Petition of Verizon to Install Conduit, Mission Road

8:05 p.m. Application for a Common Victualer License, Holy Cow Café, 27 Vinal Square

8:05 p.m. Continuation of Robin Hill Meadows, LIP

** This meeting is televised. **

Unscheduled Business

- BOS Appointment to Board of Registrars
- BOS Vote: Traffic Calming Policy
- Town Manager Evaluation

Selectmen Referrals

Press Questions

Executive Session *(Collective Bargaining)*

Next Meeting: September 20, 2004

*** This meeting is televised. ***

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, August 23, 2004
Town Offices, 50 Billerica Road

Attending:
Stuart G. Weisfeldt, Selectman Chair
Philip M. Eliopoulos, Vice Chair
Thomas A. Newcomb, Clerk
William F. Dalton, Selectman
Michael F. McCall, Selectman
Bernard F. Lynch, Town Manager
Jeanne Parziale, Assistant to the Town Manager

Public Service Announcement:
Larry Khirallah, a representative of the **CCAD** (Chelmsford Coalition Against Drugs), requested that the BOS designate, beginning October 17th, Drug Awareness Week in the Town of Chelmsford.

Chairman Weisfeldt asked if Mr. Khirallah was aware of a similar program in place in Chelmsford, the Coalition Against Crime in Chelmsford. Mr. Khirallah stated that he was aware of this group, but that CCAD had a more defined mission.

Motion: Sel. Eliopoulos made a motion to make the week of October 17th 2004, in Chelmsford Drug Awareness Week. Selectman Newcomb seconded. Motion unanimously carried.

Open Session: Freeman Lake Weed Removal
Charlie Mullen, resident-65 Newfield St., focused the Board's attention to the weed problem at Freeman Lake. A petition was presented to the Board. Mr. Lynch stated that there may be a need for more technological help identifying possible solutions. Mr. Lynch informed the Board that there have been studies done in the past and Chelmsford will continue to look into the problem. Selectman Newcomb reminded the Board that some of these studies are over 8 years old. Sel. Eliopoulos suggested the Board look at other towns with similar problems.

Minutes of June 28th BOS Meeting:
Motion: Sel. Eliopoulos made a motion to approve the June 28th BOS minutes. Selectman Newcomb seconded. Motion unanimously carried.

Town Manager Report: Bernard Lynch, Town Manager
Current Projects
Bike Path out to bid, construction will start later this year
Traffic project Golden Cove Rd., street lights work, signals sometime in September
Alpine Lane signals should be turned on this week
Center Project - state nearly out of money; an evaluation and a need for local perspective

North Road public hearing in October, listed on 2005 Transportation Improvement Project (TIP) list, project may be done sooner than expected
Tadmuck Rd., Dunstable Rd., Wood St., Westford St., Elizabeth Dr., Technology Drive all paved. Additional state funds for road projects from Chapter 90 will pay for the rest of the project
Facilitating draft memo for maintenance program in schools, setting a priority with input from the superintendent, school committee.
Police drug searches using K-9's in schools-everyone on Board.
Train idling on Middlesex Road; trying to work out solution to problem. Referred to legal counsel and in process of drafting an enforcement order that complies to MA regulations.

Budget Issues
Working on health insurance for fiscal year '04-'05
Legislature to release lottery money, which could be as high as $400,000
New growth coming in on target, revenue did not do as well as projected.

School Building Project
Doug Gordon, resident-11 Wilson Lane, delivered to the Board "good and bad" aspects of the school building project.
Committee making progress, considering meeting part-time. Architects have been interviewed and they all agree a reprioritization is necessary. A Project Manager will be on board in a couple of months.
Need breakdowns by School Dept. on repair costs and A&E fees not included. DRA report 4 years old and is the basis for the cost analysis, not taking into account additions leading to over budget.

Mr. Gordon expressed his opinion that the committee was doing a very good job.
He concluded by suggesting selling the golf course to get extra money to make up for shorts, which he will research. Selectman Newcomb responded by stating that a prioritization should be done of all of the repairs and that once the architect and Project Manager are on board there will be a better handle on the project.

Dog Hearing: 291 Boston Road
Mr. Lynch started by stating that a Certified letter went out to the dog owner in question and was returned by the Post Office after three delivery attempts. Therefore the hearing is being left open. *Thorning Knight, resident-288 Boston Rd.*, lives next to owner and stated the dog barks constantly. The Board asked Mr. Knight if there was anyone monitoring the dog during the day while it is barking. According to Mr. Knight there is no one at home. Selectman Dalton stated that if there is no response to the letter sent to the owner then action will be taken.

Motion: Sel. Eliopoulos made a motion to continue hearing of the dog barking. Sel. Newcomb seconded. Motion unanimously carried.

Public Hearings:
1. Application for Auto Dealer's License, BeanTown Motors, 14 Kidder Road
John Mauriello, resident-28 Scotty Hollow Dr., selling used vehicles online, where some

cars are in the back of the property.
Amount of spaces not yet on license because the building inspector has not approved the site. Looking to have 20 spaces.
Motion: Sel. Eliopoulos made a motion to close the hearing. Sel. Newcomb seconded. Motion unanimously carried.

Motion: Sel. Eliopoulos made a motion approve Class 2 license for the location of 14 Kidder Rd., contingent on building inspector approval of spaces. Sel. Newcomb seconded. Motion unanimously carried.

2. Application for Auto Dealer's License, G&G Auto, 293 Littleton Road
John Gray, 123 Indian Hill Rd., Worcester and Tom Guzzi, resident-149 Hill Rd., Groton, met with the building inspector for 6 spaces behind private fence with 1 car on display

Motion: Sel. Eliopoulos made a motion to close the hearing. Sel. seconded. Motion unanimously carried.

Motion: Sel. Eliopoulos made a motion to approve a Class 2 license for the location of 293 Littleton Road. Sel. Newcomb seconded. Motion unanimously carried. Discussion continued.

The Board was concerned with the cleanliness of the area where the dealership is proposed. There has been a problem in the past with the front of this property.
Todd Chase, Vice President, Ferreira Towing Co., addressed the Board and stated that the property has been cleaned up. Mr. Chase stated the maximum time a truck would be in front was a week.

Amended Motion: Sel. Eliopoulos made a motion to approve a class 2 license for the location of 293 Littleton Road with a contingency that no vehicle can be in front for more that 1 week at a time. Selectman Newcomb seconded. Motion unanimously carried, licensed granted.

3. Petition of Verizon to Install Conduit, Mission Road
Kathy Frasier, Verizon, asked Board for permission to install underground conduit to a new unit.

Motion: Sel. Eliopoulos made a motion to approve underground conduit on Mission Road. Sel. Newcomb seconded. Motion unanimously carried.

4. Application for a Common Victualer License, Holy Cow Café, 27 Vinal Sq.
Wayne Bernier, resident-92 Faith Ave., Dracut; and Jamie LaCourse, 171 Warner Hill Road, Derry, NH, are requesting the transfer of one operation to another and therefore need a new license. Looking to be up and running by September. A license is contingent on Board of Health and Building Inspector.
Motion: Sel. Eliopoulos made a motion to approve a Common Victualer license for

Holy Cow Café, subject to Board of Health and Building Inspector. Sel. Newcomb seconded. Motion unanimously carried.

Robin Hill Meadows, LIP:

Attorney Douglas Hausler, representing the developer, submitted a letter stating the developers' commitment to the Board.
The developer is committed to the following:
Inclusion of historic house will be put in writing. This historic home will be part of the 20 units total. The home will move down to Robin Hill Rd.
Fence to be installed between the Swim Club and the property.
Increased public parking for bike trail will be available, depending on Board needs.
Traffic report stated there will be minimal impact in area and will comply with all state regulations.
Footnote to discussion: A letter stating the seller was misleading on what would be built is not accurate. The property was on the market for 1 year and the asking price dropped twice.

Arguments for Density of the Project

Memo from Community Development Coordinator on July 15, states the units are a reasonable density.
A letter from the Chelmsford Housing Authority identified a need for single family housing. There are currently 62 people on wait list for affordable homes according to the CHA.
Atty. Hausler pointed out other properties in Chelmsford and their given densities ranging from 5.6 to as high as 19 per acre. At Robin Hill there will be a density of 1.8 units per acre. The attorney stated that even if only 4 of the 11 acres are used it is still a density of less than 5 units per acre, making it still the lowest density of all the projects mentioned.

Resident Input

Nancy Peredes, resident-103 Robin Hill Rd., asked for information on other properties. Selectman Dalton stated that some developments have as high as 150 units. Ms. Peredes expressed concern that Robin Hill is a country road with speeding problems and the added spots for the bike route would create more traffic.

Jim Pinder, resident-Robin Hill Rd., stated he is frustrated and would like the density to be reduced because it is inconsistent with the neighborhood, and urged the selectmen to lower the number of units. Selectman Eliopoulos suggested approving the projects for 15 units now and then have the developer come back for the last 4 units which gives the Board the ability to see how things are going, plus it gives the Board more recourse if things do not go well. The attorney stated that would reduce the dividend to under 10%. The state says the profit can be up to 20%. Plus the attorney would like the selectmen to vote on the projects merits. Density is consistent with past. Have to go through approval process again. Client wants 20 units.

Stephen Peterson, resident-134 Robin Hill Rd., had two questions. (1.) Whether or not stops sign could be added if the development goes in. Mr. Lynch stated that stop signs

can not be added unless the street meets certain standards provided by the state (2.) What happens if the house can not be moved-could it be demolished, how would Board handle this? The attorney stated there is zoning Board conditions in moving the house.

Melissa Williams, resident-114 Robin Hill Rd., asked the Board: (1.) Can a right hand only turn sign could be installed. Mr. Lynch stated that not having that will distribute traffic evenly. (2.) Can an environmental study will be done? Mr. Lynch stated one could be done down the road at the Board of Appeals level.

Darrell May, resident-191 Robin Hill Rd., expressed concern over traffic, speeding, crime index and value of homes. Mr. Lynch wanted to be careful around the issue of the crime index. Appearance standards will be met by a condo association. Mr. Mann ended by asking if the sewer project would be affected by the development, Mr. Lynch stated there would be no impact.

Jim Heck, resident-122 Robin Hill Rd., asked the Board if they have run the number for a 16 unit development verses a 20 unit development. Mr. Heck also wanted the Board to know that the 40B and 40A laws will be coming up in the statehouse in the spring which could impact how Chelmsford reports affordable housing. Selectman Dalton stated that the rate of change may not be as quick as the Spring.

Carrie Kirkland, resident, stated to the Board that there is a letter referring to the sale of the property and the house that sits on it and urged the Board to consider the letter. Chairman Weis told Ms. Kirkland the letter has been read.

Doris Simko, resident-106 Robin Hill Rd., asked what the process from this point on will be. Mr. Lynch stated that some issues could be brought to the Board of Appeals where the residents can speak. At the Board of Appeals level the Board will have council.

Diana Brown, resident-126 Robin Hill Rd., asked the Board why would reducing the number of units affect the profit? Mr.Lynch stated at the Board of Appeals level residents will see the numbers.

Joseph Heider, resident-Chamberlain Rd., an experienced developer asked how many acres of property are not buildable and the water strain on Chelmsford. Is the developer paying for the sewer?

Nancy Peredes asked why the other property the developer owns in Chelmsford was not looked at to develop. The attorney let the resident know that switching properties was looked into but the other property does not apply to zoning laws

Motion: Sel. Eliopoulos made a motion to close the hearing. Sel. Newcomb seconded. Motion unanimously carried.

Motion: Sel. Eliopoulos made a motion that the BOS enter in a LIP with Robin Hill Meadows LLC for the creation of 16 total units, 1 of these 16 would be historic House currently on site. Of the additional 15, 4 would be affordable, profits earned by developer

and any related entity would not exceed that proposed by the state. Selectman Newcomb seconded. Discussion Followed

Selectman McCall stated that 16 units is a manageable number and that this density would be consistent with the neighborhood. Selectman Newcomb stated that the single family character of the neighborhood is consistent and there is a need for more affordable housing in Chelmsford. Chairman Eliopoulos stated that density was his main concern.

Amended Motion: Chairman Eliopoulos made a motion to reduce to 16 units, 1 being the historic home. Selectman Newcomb seconded. Motion carried, 4 in favor 1 opposed. The opposing vote was cast by Sel. Dalton who said he wanted to see the original proposal of 20 units approved.

BOS Appointment to Board of Registrars:
Motion: Sel. Eliopoulos made a motion to reappoint Matthew G. Dulchinos, 742 Wellman Avenue, to a three-year term on the Board of Registrars. Sel. Newcomb seconded. Motion unanimously carried.

BOS Vote: Traffic Calming Policy:
Mr. Lynch stated that the implementation policy is in place. Selectman Eliopoulos stated that it is a test case for Sycamore Rd.
Motion: Sel. Eliopoulos made a motion adopt traffic calming policy as revised. Selectman Newcomb seconded. Motion unanimously carried.

Board Manager Evaluation:
Each selectman provided his evaluation of Board Manager over the preceding year.

Selectman McCall: Positive response to Board, free dialogue, reports timely, and staff selection is good. His public relations is resident driven. Budget prep is positive. Happy with work

Selectman Eliopoulos: Strong with school committee, and superintendent, which benefits the Board. Losing some department heads has been a challenge, would like to hear more from department heads in future. Public Relations has improved. Don't share enough with what is happening would like to hear what Mr. Lynch has learned

Selectman Newcomb: Being a newer selectman most interaction done as resident, Mr. Lynch was always responsive. Good staff and good follow-up. Mr. Lynch continues to educates self and Board and good budget prep

Selectman Dalton: All five areas are good.

Selectman Weisfeldt: All very positive. Mr. Lynch has a lot on his plate. Media and Public are clear and concise. Budget is strong and Mr. Lynch shows outstanding skills. Well thought of around Board

Selectmen Referrals:

1. Sel. McCall stated that drains are getting overloaded on Cross St. and with the heavy rains, it is worse. Mr. Lynch stated that he would get the DPW on it.
2. Sel. Eliopoulos stated he received a call from residents by the Immanuel Church on Boston Rd. concerning the project there. The neighborhood thought that the wetlands were being flagged by an engineer rather than a botanist. Selectman Eliopoulos asked Mr. Lynch to check it out and get back to the BOS.
   Sel. Eliopoulos also received a letter from Mr. and Mrs. Magnell at 22 Jordan St. concerning the ball fields. Sel. Eliopoulos referred the letter to Mr. Lynch. Selectman Eliopoulos also was disappointed in the landscaping plans for Rte. 3 and asked Mr. Lynch to refer to Andy Sheehan so that the State can be contacted if it needs to be.
3. Chairman Weisfeldt stated that the Sewer Commission has not met and he is concerned with Parkhurst Road and the inability to cross safely. Mr. Lynch stated he would work with the police on this issue.

Next Regular Meeting

The next regular meeting is scheduled for Monday, September 20 at 7:00 p.m. There being no further business, the regular meeting adjourned at 10:35 p.m.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

September 20, 2004

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

Open Session

Minutes of BOS Meetings
- Board of Selectmen: March 8, 2004

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

Scheduled Business

7:35 p.m. Continuation of Dog Hearing, Duke, 291 Boston Road

7:45 p.m. Public Hearing: Application for Extension of Hours, Alambique Lounge 100 Tyngsboro Road

7:55 p.m. Public Hearing: Petition of Verizon to Remove and Replace Poles on Billerica, Golden Cove and Turnpike Roads; Place Push Brace on Billerica Road

8:00 p.m. Application for Common Victualer License: Sweetest Memories, Alpine Lane

8:05 p.m. Public Hearing: Petition of Verizon & Mass Electric to Place One Stub Pole - Garrison Road

Unscheduled Business

Selectmen Referrals

Press Questions

Executive Session

Next Meeting: October 4, 2004

**** This meeting is televised ****

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, September 20, 2004
Town Offices, 50 Billerica Road

Attending:
Stuart G. Weisfeldt, Selectman Chair
Philip M. Eliopoulos, Selectman Vice Chair
Thomas A. Newcomb, Selectman Clerk
Jeanne Parziale, Assistant to the Town Manager
William F. Dalton, Selectman
Michael F. McCall, Selectman
Bernard Lynch, Town Manager

The Pledge of Allegiance was recited.

Minutes of March 8th BOS Meeting:

Motion: Selectman Eliopoulos made a motion to approve the March 8th BOS minutes. Selectman McCall seconded. Selectman Newcomb abstained. Motion carried.

Town Manager's Report:

1. Mr. Lynch read into the record a letter from Hank Hamelin complementing the work performed by the DPW on the water problems around his property.

2. Mr. Lynch distributed to the board a spreadsheet for the FY05 budget. Mr. Lynch informed the board that the FY04 budget was closed out. The FY04 budget revenues picture was reviewed and projected expenditures for FY05 have some fiscal issues and will be discussed at the fall Town Meeting. Mr. Lynch stated to the board that after leaving the April Town Meeting it was believed that the FY05 budget had been balanced but changes since then have occurred.

Revenue: Mr. Lynch informed the board that the revenue as of September would be $59,568,000.00 with a projected $850,000.00 in new growth, but there is no final number from assessors. Mr. Lynch stated they will try to obtain additional revenue out of new properties and new personal property/business that have come into town.

State Aid: Chelmsford picked up $258,000.00 more in state aid than had been anticipated resulting from the legislature adopting supplemental budget distributing lottery money of which $75 million dollars in lottery money will go to municipalities. Mr. Lynch informed the board that the State required a signed affidavit indicating this is a one time sum. Mr. Lynch told the Board that this is an important message because it stated times are fiscally tight.

Available Funds: This is showing the same number of 4.5 million dollars that we had back in April. Mr. Lynch stated that this would mean free cash but this number has not been certified because the final paperwork is not closed out. The free cash is a

little above average but not as high as anticipated a year ago. Free cash will replenish the stabilization fund which is the number one priority. The budget also had money indicated for the school department and in its future retirements cost. Health insurance fund also being squeezed. The health insurance went from a self-insured plan to a premium plan. Enrollment has increased creating more cost to the Town.

Misc. Receipts: The final revenue sources are excise tax, interest on investments, building permits etc. In April it was set in the budget at 7.4 million but in the closeout of FY04 it was just over 6.6 million, less than anticipated. There are two reasons for this:

1. Excise tax is $200,000 less than budgeted and $500,000 less than projected for FY05. The commitment letters went out late this year so money will come in for FY05, and work is being done to see if this is the sole reason for the shortfall.
2. Interest on Investment is also low and is undergoing more analysis by the Finance Director and consultation with the previous Finance Director.

Expenditures: Municipal administration has settled with the clerical union and money needed there is a minor cost. The Town is still bargaining with the Patrol Officers, DPW, and Firefighters. The Library employees have settled. Undistributed increase in health insurance due to spouses and retirees is a continual problem. In conclusion Mr. Lynch stated that with the budget revenues alone and expenditures there is a million dollar problem. Mr. Lynch told the Board the gap will be closed and will report back in upcoming meetings.

3. Central Square has put up a new stop bar as designed by VHB. There is a driveway near a signalized intersection and the driveway can't enter into the intersection without signal control, therefore the driveway has to be behind the stop bar. There is a sign that went up stating, "do not block the driveway". The lights were possibly changed by the state and VHB is coming to check on the timing of the signals. A barrel was placed in the center to eliminate confusion at the signal. Selectman Eliopoulos stated that traffic has greatly improved in the center of town.

Continuation of Dog Hearing, 291 Boston Road:

Mr. Lynch suggested all parties giving testimony should be sworn in by the Selectman before arguing their case.

Mr. Thorning Knight, Co-Complainant Resident-288 Boston Road, is sworn in by Selectman Eliopoulos. Mr. Knight stated that there is constant barking coming from his neighbors and that other neighbors have complained but have since moved. The Mr. Knight told the board that he has called the police on several occasions. Selectman Eliopoulos asked if the dog barks only when the owner is not home. Mr. Knight stated that when he hears the dog there are no cars. Selectman McCall asked if the dog is provoked by neighborhood activities but Mr. Knight stated there were no distractions for the dog to bark.

Ms. AnnaMarie Watson, Dog Owner resident-291 Boston Rd., is sworn in by Selectman Eliopoulos. Ms. Watson apologized for missing the last meeting and read from her prepared statement. She stated she was a lifetime resident and bought her house at 291 Boston Rd in 1993 and in 1998 bought a dog. Ms. Watson stated that the complaints started immediately following the purchase of the dog. Ms. Watson had asked her abutters if there had been a problem with the barking, which was always provoked. She told the Board that prank calls have come in to her home and they were from Mr. Knight as well as a petition to remove the dog. Ms. Watson purchased a barking collar for the dog which gave out electric shocks, which she removed because it was hurting the dog more than helping. Ms. Watson stated that the dog is 250 feet behind the house. The dog is not outside in extreme weather. Ms. Watson showed the Board pictures of her property and where the dog is kept. She stated that Mr. Knight lives across the street and down three houses from her property.

Selectman McCall asked why abutters were listed in the complaints at 284 Boston Rd. The Board checked the record and on 8/30/04 where the call was registered from Stop and Shop in Chelmsford. It was believed that prank calls were made to the abutters home who also own a dog. Ms. Watson stated that she owns 3 acres of land and has a right to have a dog and the dog is never left outside overnight. Selectman Eliopoulos asked Ms. Watson how she knows the dog is not barking if she is working all day. Ms. Watson replied that she did not know but her husband has been home all summer and there has been no barking. Selectman McCall also asked if there were any other complaints made by neighbors; Ms. Watson stated there were none.

Mrs. Joanne Knight, Co-Complainant #2, resident-288 Boston Rd. is sworn in by Selectman Eliopoulos. Mrs. Knight stated that calls were made to the dog owners but only when the dog was barking. The Mrs. Knight also stated that it was not right to accuse her husband without proof, and she has never seen any harm done. The Mrs. Knight let the Board know that in the past few weeks, the dog's behavior has been improved and is not sure why.

Richard Watson, Dog Owner #2, resident 291 Boston Rd., is sworn in by Selectman Eliopoulos. Mr. Watson stated that the first call they received was at 3 am when the dog was not out. Mr. Watson stated that he did not know the abutters were having the same problems until they confronted Mr. Knight about the phone calls. The dog protects the house when the owners are not home. Selectman Dalton was not sure how the abutters got involved with this situation. According to the Police, Mr. Knight did admit to making the calls to the abutters.

Raymond McCusker, Chief of Chelmsford Police, stated that the dog officer was unable to attend the meeting. The Chief stated that the owners could try a different type of dog collar that does not shock. The chief also stated that when complaints were made an officer would go out and hear the dog barking but it is unsure if the dog just started to bark because the officer was there. The Chief stated that because it is a large dog, it is hard to keep it inside. Selectman Dalton stated that the dog was 250 feet off street;

therefore he was not sure how the dog could be so clearly heard with an added tree line and that there is no one else in the neighborhood complaining about it.

> **Motion:** Selectman Eliopoulos made a motion to close the dog hearing. Selectman Newcomb seconded. Motion unanimously carried.

Discussion followed by Board. Selectman McCall reminded the board that the dog has improved in the last 3 weeks and the owners are showing willingness to use alternative methods. Selectman Eliopoulos also stated that it is unclear if the dog is barking due to seeing activity. Therefore the board might want to see if the dog does bark constantly without provocation. Selectman Newcomb suggested using an alternative collar with additional training to make a workable solution.

> **Motion:** Selectman McCall made a motion that during the day if the dog is left outside alone for an extended period of time the dog should be wearing a collar in addition to some training when the owner is at home. Selectman Newcomb seconded. Motion unanimously carried.

Public Hearing:
Application for Extension of Hours, Alambique Lounge 100 Tyngsboro Rd.

Attorney Cassis for the owner of the Alambique Lounge stated that back in March a roll back of hours was imposed for the establishment from a related incident in 2002 from 2:00 am to 1:00 am closing. There have been no problems since. There has been a business drop off without the extra hour and are asking the board to extend hours back to 2am.

The following are people that would like to speak in behalf of the establishment.

- Paula Sorrentino-100 Tyngsboro Rd., lives directly above the establishment stated that there have been no problems from the establishment.
- Rose Hammil – 897 Walnut Ave., within the Williamburg Complex, stated no noise and there are no cars there. Chairman asked if there has been any noise in the past 6 months, to which the resident replied there was not.
- Previous Employer of the owner from West Windsor, VT. gave a character reference stated he has watched the owners build a good business. He stated he also has had many of his company Christmas parties there in the past. The patronage at the establishment is people who get out of work at 11pm and are not there all night, plus one hour loss in business is a large impact on the owners income.

Abutters to the establishment.

- Ms. Jan Spence, President of the Board of Trustees Williamsburg Complex, has had complaints of loud activity in the parking lot. It has been noted in the past that trash and empty beer bottles were left at the Williamsburg entrance. This being a residential neighborhood the closing time should stay at 1am.

- Robert Moore, an abutter, stated that there has been major improvement and he suggested putting up a fence and asked what type of assurance the owner can give if the time is extended back to 2 am. Selectman McCall asked if the lighting in the lot was poor. The abutter was unsure of the lighting.

Chief Raymond McCusker stated that there have been about ½ dozen calls in the last 6 months. The Chief stated that the disturbances have decreased because of the action taken by the Board to reduce the hours of the establishment. He recognizes the financial concern by the owner, but he still recommends a 1am closing. Selectman McCall asked the Chief what the lighting situation was at this establishment and the Chief responded by stating lighting could help as well as a fence. The Chief also mentioned the dumpster comes earlier in the day, which alleviates the trash problem.

Attorney Cassis stated the owner is willing to put up a fence and get more lighting and he also suggested a police detail. Selectman Dalton stated that the previous tenant tried to get a fence but the landlord would not agree. Selectman Dalton also recognized the financial issue but pointed out the business was still there after the roll back of time and stated the time should stay at a 1 am closing.

Motion: Selectman Eliopoulos made a motion to close the hearing to extend the hours of the Alambique Lounge. Selectman Newcomb seconded. Motion unanimously carried.

Discussion followed by the Board. Selectman Newcomb asked what the owners are willing to do if the board were to extend the hours, being that the problems mostly occur around closing hours. Selectman Eliopoulos' main concern is the liability of detail officers not responding as on-duty officers and suggested the owner meet with the Chief to see what they could do to assure him. Selectman Dalton reminded the board that there was another establishment that gave less trouble and was not granted extended hours. Selectman McCall suggested the owner come back in three months after they meet with the Chief.

Motion: Selectman Eliopoulos made a motion to deny request to extend the hours of the Alambique Lounge at this time but offer a recommendation that the applicant talk to the Chief of Police to determine whether or not conditions can change that would warrant a change in the Chief's opinion. Selectman Newcomb seconded. Motion unanimously carried.

Petition of Verizon to Remove and Replace Poles on Billerica, Golden Cove and Turnpike Rd.

Kathy Frazier from Verizon, 28 Diana Ln, Dracut addressed the Board and requested the following:

1. Addition of 1 pole on Golden Cove Rd., and the removal of 2
2. Addition of 2 poles on Billerica Rd., and the removal of 1

3. Addition of 1 pole on Turnpike Rd., and the removal of 1 Plus a push brace on Billerica Road. A push brace is a pole that supports an existing pole recommended by the town.

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Newcomb seconded. Motion unanimously carried.

Mr. Lynch requested if the poles could be moved off of the roadway back to were brush and tree are and also not to unnecessarily cut down said brush and trees in area.

Motion: Selectman Eliopoulos made a motion to approve petition number 16 dated September 9, 2004 with the Town Mangers request to not cut trees and or brush unnecessarily. Selectman Newcomb seconded. Motion unanimously carried.

Petition of Verizon & Mass Electric to Place One Stub Pole on Garrison Rd.
Kathy Frazier from Verizon, 28 Diana Ln, Dracut addressed the Board and requested the following:
1. Addition of 1 pole on Garrison Rd., the existing support from the pole number 158 exists in a tree and it has been requested to get it out of the tree therefore a support pole is warranted.

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Newcomb seconded. Motion unanimously carried.

Motion: Selectman Eliopoulos made a motion to approve plan # 15 August 3, 2004. Selectman Newcomb seconded. Motion unanimously carried.

Application for Common Victualer License: Sweetest Memories Alpine Ln.
Janet Landry, Owner of the Sweetest Memories Ice Cream, Candy Novelty Retail Store petitioned the board for a Common Victualer License. The establishment's hours are 10am-10pm weekdays and 12-8pm on Sundays. Selectman Eliopoulos pointed out that on the license the hours are listed from 10am-10pm weekdays and 12-10pm on Sundays and if this was so she could expand her hours if she needed too. The owner told Selectman Eliopoulos that that was correct.

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Newcomb seconded. Motion unanimously carried.

Motion: Selectman Eliopoulos made a motion to approve the application for the Common Victualer License to Janet Landry at 17 Alpine Lane subject to receipt of the floor plan via the Town or applicant and approval of said floor plan and seating by the Building Inspector, Tony Zagzoug, during the hours of 10am-10pm weekdays and 12-10pm on Sundays. Selectman Newcomb seconded. Motion unanimously carried.

Selectman Referrals:

Selectman McCall had the following referrals;

1. Inquiry to grant money becoming available titled Smart Growth where each town could receive $50,000 dollars for housing plans and community preservation. Selectman McCall asked if this was something the town could utilize. Mr. Lynch stated that he is looking into the grant money and seeing what is required to apply and what the money could be used for. Mr. Lynch informed the Board that Smart Growth money has been set aside for communities that brought on new housing units and then the State would help supplement cost associated with those new housing developments. Mr. Lynch stated that changes are needed to the 40B law and communities should begin to look toward Smart Growth.
2. DEP memo has been sent out stating that they have surplus equipment and if the town offices are aware of this surplus. Mr. Lynch will look into this and told the Board that there is a new recycling coordinator on board who will follow up.
3. New construction law implemented that impacts construction in municipal projects over 5 million dollars. Some go into effect after January and some go into effect immediately and Selectman McCall wanted to know what would be the impact on projects, i.e. school construction. Mr. Lynch stated that the law would impact the school construction. The law would also impact smaller projects already ongoing because the project limits would be lifted and bidding requirements threshold would be raised, resulting in more flexibility.

Selectman Newcomb had the following referrals;

1. Is the board any closer to a joint meeting with the school committee? Mr. Lynch stated that he would be meeting with the superintendent this week and will report on Monday the 27th of September 2004 to give the finality of the plan before the Board goes into a joint meeting with the school committee.
2. An alternative revenue source could be the town's clerk office issuing passports. The Federal government thinks that this could help do a better job identifying people and the town could make $30-$40 per passport plus it offers a service to the community. Mr. Lynch said he would look into it and report back to the board.

Selectman Dalton had the following referrals;

1. Arrow signs at the Drum Hill Rotary. Selectman Eliopoulos stated that all work on the highway will be done first, the State's focus is on widening Rt 3. Selectman Eliopoulos remains in touch with Modern Continental about their promises to the Town.
2. Can there be more of a police presence at the Drum Hill Rotary? Mr. Lynch stated that the rotary is a problem because it is not completed but according to police, accidents are down. Selectman Eliopoulos stated that everything was on hold but will try to get someone to come to a BOS meeting to assure the board promises will be kept. There is no construction proposal for the Rt. 3 rest area at this time. There will not be any article for vote at the October Town Meeting on the rest area.

Selectman Weisfeldt had the following referrals:

1. The sewer commission has not met for several months and the new Board of Health Inspector has been busy with inspections. Mr. Lynch stated he was pleased with the new Inspector and the direction of the Board of Health.

   Motion: Selectman Eliopoulos made a motion to close the meeting. Selectman Newcomb seconded. Motion unanimously carried.

Executive Session:

1. Chairman Weisfeldt asked where the town was on the upcoming carnival. Mr. Lynch stated that the Board of Appeals approved the carnival but now it has to be given a license by the Board of Selectmen. The carnival will be located behind Sully's Ice Cream. Mr. Lynch told the Board that the girl's hockey runs the carnival and next time needs to get a license or it will be shut down.
2. Some businesses get tax breaks then make a donation to town. One new business requested a tax credit and property tax break, which Chelmsford does not do. A new company in town has proposed an investment tax credit not a property tax credit. The business can not get a break from the state if they do not receive a tax credit from Chelmsford. The company is looking to get a $3,400 tax break aver 25 years, making it $200 a year. The deal is to pay $3,400 but pay $5,000 up front.
3. Life Saver Issue went to the Board of Appeals and was denied. Board of Appeals remanded and the town objected because of location at Hyland and Princeton Ave. The town can't bring equipment through but the state does not seem to care; 15% state backs town, 80% state backs developer. It has cost the town $12,000 therefore we will not go any further if we lose. A deal needs to be made to put in 3 units close to road. Nothing can get through to this development; ambulance, fire, DPW etc. and the concern is if an emergency should occur. It was mentioned a possible press release could go out. The Chief sent a letter to the Board of Appeals stating that it was not possible to turn emergency vehicles down the road. Most people in town do not know where the property is located and the Town owns land around it.
4. Collective Bargaining - Clerical, Library and Superior Officers are settled. Mr. Lynch stated that the Patrol Officers and the Fireman are in Arbitration. Mr. Lynch stated {0 2 3} $750 one time to patrol and fireman and did not get longevity gave time and grade. Give evaluation then institute longevity number of guys take exam could be used a management tool and for promotions to see if things are being done correctly. Firefighters want more money and 24 hour shifts. Highway still in negotiations. Firefighters receive 15 sick days then will come in sick not to lose this sick time. If the Firefighters want 24 hour shifts then a reduction of sick time needs to be offered. A 24 hour shift plus sick time would cost the Town more long-term. Mr. Lynch will be meeting this Friday and will report back to board on Monday.

Motion: Chairman Dalton made a motion to close the meeting. Selectman McCall seconded. Motion unanimously carried.

Meeting adjourned.
Next scheduled meeting is September 27, 2004.

Respectfully Submitted by Patrice Garvin

TOWN OF CHELMSFORD
Tax Classification Committee Meeting
Monday, September 27, 2004, 7:00 p.m.
Police Station, 2 Olde North Road

BOS Attending:
Stuart G. Weisfeldt, Chair
Philip M. Eliopoulos, Vice Chair
Thomas A. Newcomb, Clerk
William F. Dalton
Michael F. McCall
Bernard Lynch, Town Manager
Jeanne Parziale, Assistant to the Town Manager

Joint Meeting of Board of Selectmen and Tax Classification Committee: Dean Carmeris- Committee Chair Delivers Tax Classification Presentation
Before the Presentation Mr. Carmeris told the Board of Selectmen that the Tax Classification Committee members are in total agreement with its recommendations.
Summary of Presentation:

- Tax Classification is a tool to solve problems.
- The Tax Classification Committee worked through and produced a revised mission statement they received from Mr. Lynch. This new mission mandated, "A fair and equitable" tax rate. Mr. Lynch requested that positive and negative consequences should be placed within the revised mission.
- The Tax Classification Committee used variables to get data, such as comparable towns, assessor's procedures, previous data, town services, external input and deliverables.
- The Tax Classification Committee found that the Property Tax Process must be legally defensible and certified by the Department of Revenue (DOR).
- The Tax Classification Committee found that the Market/Retail Method is most accurate method to evaluate.
- The Tax Classification Committee looked at a comparison of Methods and found that 44% of the Town's property over a 10 year period was undervalued.
- The town of Chelmsford is 82% Residential and 18% Commercial and with valuations rising faster on residential properties, more of a burden is placed on the residential while services stay the same.
- The Tax Classification Committee found since 1994 the actual residential tax went up 53% while commercial declined 6.6%.
- Comparable towns-The Tax Classification Committee looked at towns directly relevant to Chelmsford. The committee found nobody doing the research and that the tax rate in these towns was not based on a rational formula. Other towns were interested in the data Chelmsford was collecting and there did not appear to be any trends found in other towns relating to their tax classifications.
- The Tax Classification Committee found that the DOR needs to do a better job keeping track of residential and commercial properties in state.

- The Tax Classification Committee conducted a survey of small businesses and found that the tax rate was not the primary consideration for having their business in Chelmsford.
- The Committee recommended a small businesses exemption should be considered.
- The Tax Classification Committee recommended a split tax rate of 1.31, which would result in a 31% increase in commercial property and a 6.6% decrease for residential property.

Questions from the Board of Selectmen

1. Selectman Eliopoulos asked if the Tax Classification committee would provide an opportunity for the public to ask questions outside of the selectman's meeting. Dean Cameris said he will be available for a public forum.
2. Selectman Eliopoulos then asked what went into the assumption of tax payers' use of town services. Mr. Carmeris said that there are two things (1) Look at services that put in place to serve a particular group. (2) Look at services that are fee for service. Mr. Carmeris stated that if there is one service used by more than one group and if it can be quantified, you could determine a shift value to compensate service.
3. Selectman Eliopoulos asked if another assumption was that the community may not be assessed at the market value but residential property is assessed at market value. Mr. Carmeris stated that a home could be assessed in November and sell in July for a much higher price because the market continues to rise. A speaker from the Committee stated that not enough data was available to use market data to assess commercial value. The DOR database shows residential values not commercial. Therefore there is a problem with the collection of commercial and residential market value data. All towns agreed that there is an underlying problem with the collection of commercial data.
4. Selectman Eliopoulos asked how Chelmsford assesses the community. A Committee member stated that it has to be legally defensible and assessors look at different rates in region.
5. Selectman McCall asked if there was a mandatory reply to the surveys, and it was determined there was not a mandatory reply.
6. Selectman Eliopoulos stated that if the gap is close to 30%, it is not legally defensible. A Committee spokesman explained that long term leases keep tenants, not the value of property; therefore the income method will not change anything. It is the buyer and seller who determine the market.
7. Selectman Newcomb asked if we are under assessing properties. Mr. Carmeris stated a recommendation is needed to the DOR, but the DOR is unable to address the problem. The communities are following the "letter of the law" and the assessors have little power to make a difference to what is happening. A long-term change is needed at the DOR and for a short-term solution, Mr. Cameris is recommending a split rate.
8. Selectman Dalton wanted to know what the impact would be on small business owners in Chelmsford if a split rate was applied. Mr. Carmeris stated that if the business owns the building it would go up 30% and if the business had a triple net

lease, it is up to the owner how he would adjust to the raise in rate. Mr. Carmeris spoke about the possibility of a small business exemption.

9. Selectman McCall asked if the tax classification is the only tool that can be used short term. Mr. Carmeris stated that a split rate would help to fix the process. If there is a better process than there is less need for a split rate.
10. Selectman McCall asked about the comparable towns and why proximity was not a requirement. Selectman McCall also commented on how some of the towns listed had a different ratio of business and residents. Mr. Carmeris explained that proximity was not a requirement when looking at selected towns and that he and the committee went to the DOR and pulled town information. Those towns that fell within range in terms of the business to residents ratio were pulled.

A public hearing will occur at the November 1 BOS meeting so that town residents and business owners will have a chance to respond.

This Concludes the Tax Classification Committee Meeting.

Town Meeting Warrant

Mr. Lynch ran through the 16 articles of the Warrant for the Board of Selectmen. He told the Board that he was able to balance the budget for FY '05 and that the growth was higher that anticipated. Mr. Lynch also related to the Board he sent them a list of BOS meeting dates up until April '05. There was concern over some of the dates which the Board will need to resolve.

Motion: Chairman Eliopoulos made a motion to approve the Town Warrant. Selectman Newcomb seconded. Motion unanimously carried.

The next regular meeting is scheduled for Monday, October 4, 2004 at 7:00 p.m.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

October 4, 2004

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements
- Chelmsford Art Society Auction - Shirley Lavoie

Open Session

Minutes of BOS Meetings
- Board of Selectmen: March 22, 2004; April 26, 2004; July 19, 2004
- Executive Session: April 26, 2004

Town Manager Reports

Town Manager Appointments
- Board of Appeals
- Council on Aging
- Cultural Council
- Historical Commission

Town Manager Bids/Contract Awards

Scheduled Business

7:30 p.m. Update on Robin Hill Meadows: D. Hausler

7:40 p.m. Residence at Stedman: D. Hausler

7:50 p.m. Application for a One-Day Beer & Wine License: St. John The Evangelist Church

7:55 p.m. Application for a One-Day Beer & Wine License: Central New England Region, U.S. Pony Club

8:00 p.m. Chelmsford Cable Television Public Ascertainment Hearing

Unscheduled Business
- Vote to Endorse Combined Maintenance Initiative
- Roadside Vendor Application: Gregory Spring - Christmas Trees & Wreaths

Selectmen Referrals

Press Questions

Executive Session

Next Regular Meeting: October 18, 2004 (Senior Center)

**** This meeting is televised ****

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, October 4, 2004
Town Offices, 50 Billerica Road

Attending:
Stuart G. Weisfeldt, Selectman Chair
Philip M. Eliopoulos, Selectman Vice Chair
Thomas A. Newcomb, Selectman Clerk
William F. Dalton, Selectman
Michael F. McCall, Selectman
Bernard F. Lynch, Town Manager
Jeanne M. Parziale, Assistant to the Town Manager

The Pledge of Allegiance was recited.

Public Service Announcement:
Chelmsford Art Society Auction
Shirley Lavoie President of the Chelmsford Art Society, invited the Board to the Art Society's first fundraiser to benefit Chelmsford's 350th Anniversary. Debra Robinson, the co-chair of the event stated that the event will be held on November 6th at the Nashoba Valley High School. Ms. Robinson reported that there will be a live band and it will be semiformal attire. Local artists have donated artwork to the event for the silent and live auction. There will be a $20 fee, which will include the music and food. Tickets are for sale at the Town Hall and at the Nashoba Valley High School.

Minutes BOS Meeting March 22, April 26, and July 19, 2004 & Executive Session April 26, 2004:

Motion: Selectman Eliopoulos made a motion to approve the March 22, 2004 BOS minutes. Selectman Newcomb seconded. Motion carried.

Motion: Selectman Eliopoulos made a motion to approve the April 26, 2004 BOS minutes, regular and executive session and the BOS July 19, 2004 BOS minutes. Selectman Newcomb seconded. Motion carried.

Town Manager's Report:
Mr. Lynch reported to the Board some of the FY05 Budget Changes:

1. Misc. Receipts: The Excise Tax as well as the Investment Income was less than expected because of late notices going out to residents and the current economy. The total Excise Tax the town should have received was $4.2 million in FY04 but a case will be made to the state that some of this will come in under FY05. Mr. Lynch stated that he is looking to change the investment strategy to see how it can be turned around, given the return on investments was lower than anticipated.
2. Expenditures: There was an increase in expenditures because there are more people enrolling in the Towns health insurance plan i.e. spouses. Collective Bargaining is still on the table.

3. Mr. Lynch related to the Board that there was a $600,000 problem in the FY05 budget with a potential shortfall of 1 million dollars. Mr. Lynch was happy to tell the Board that he has closed the gap. There was a big jump in new growth and personal property purchased, which is better than anticipated.
4. State Aid: The town was able to pick up $258,000 from the lottery money, which is a one time sum. Additional State Aid comes from exemptions for elderly on property taxes and the Quinn Bill.
5. Town MeetingWarrant: Mr. Lynch reviewed some of the articles with the Board.
    - Under Article 2, of the 1.8 million dollars anticipated for Free Cash, there is $1 million, which will be placed into the stabilization fund.
    - Under Article 3, there is a Medicaid reimbursement of $260,000 from Free Cash that will be transferred to the school department. The E-Rate grant of $12,194 wili also go to the school budget. A budget increase accounts for the municipal administration and personnel up to $19,500. Of this total $12,500 is in raises and appropriation and $7,000 is from Free Cash. The $7,000 is a one time signing bonus with personnel. Public Safety is $25,000 for raises and appropriations, and $7,500 is from Free Cash, which makes the total $32,500. Under undistributed money there is a transfer of $400,000 from the Health Insurance trust fund. The self-insured claims are almost collected, which frees up $400,000 to cover any claims that come in. There is also $92,568 in free cash to cover snow and ice removal remaining from FY04.
    - Under Article 7, there is a town wide maintenance program of $45,000 to cover clerical and administrative salaries as well as for the Department Head and other miscellaneous cost for the first half of the year.
    - Article 8 covers school retirements, which are a one time cost. The Town agreed to help school department fund this, and is using $350,000 from free cash.
    - Under Article 9, there is a community Action program which will be $10,000.

Mr. Lynch was able to report that the budget had been balanced and will place $1 million into the stabilization fund.

Mr. Lynch related to the Board that they need to take action now on health insurance for retirees by setting money aside and establish a stabilization fund. Mr. Lynch then made the board aware of a court case Hancock vs Massachusetts currently in the Supreme Judicial Court. The case states that the state is not adequately funding public education. Mr. Lynch was asked to sit on the committee for Revenue Sharing to fund education. The case states poorer communities are not meeting current Curriculum Frameworks and the state needs to pay more money to meet these requirements. Therefore the state may redistribute money they give to other towns. Selectman McCall asked Mr. Lynch if this case included special education and Mr. Lynch thought that it did. Mr. Lynch stated that this was a state constitutional issue and the court will decide whether or not the state formula for distribution is correct. Mr. Lynch told the Board that the state formula dates from the 1960's, and the state may give less but would never take it away.

Middlesex Street in North Chelmsford. There are trains idling behind residences. The trains can be heard overnight and can idle for hours on end. There have been several attempts to contact the railroad and there has been no response. Mr. Lynch stated that he has asked the Health Dept. to cite them under air pollution regulations and sent an enforcement letter to that effect. The train company has filed an injunction in federal court citing interstate commerce, which is not subject to state legislation. Mr. Lynch has asked council to bring the state in, but the trains continue to idle. Selectman Dalton asked why the trains can't park behind the industrial buildings, which are about 100 feet away from where they are presently idling. Mr. Lynch told the Board the trains are unwilling to move.

Town Manager Appointments:

- Board of Appeals Joel Luna 3rd alternate for a 1 year term.
- Council on Aging Louise C. Myers and Diana Boisvert each has a 1 year term.
- Cultural Council Alexandra Roark for a 2 year term.
- Historical Commission Frederic S. Merriam for a 3 year term.

  Motion: Selectman Eliopoulos made a motion to approve the Town Manager appointments. Selectman Newcomb seconded. Motion unanimously carried.

Scheduled Business:

Update on Robin Hill Meadows Project

Attorney Doug Hausler representing the developer for Robin Hill Meadows, addressed the Board. He asked the Board to approve the plan to build 16 units. Mr. Hausler told the Board the development will be set further back from the road and 4.9 acre of the parcel will be developed. It seems the chairman of the BOS must sign the plan. Mr. Lynch stated that the plan is consistent with the standards the Board set.

Motion: Selectman Eliopoulos made a motion that the BOS approve the plan that was revised by the applicant showing 16 units on the project, consistent with the letter endorsing the project to the state. Selectman Newcomb seconded. Motion unanimously carried.

Discussion followed by Selectman Dalton who asked about the historic house on the site. Selectman Eliopoulos reminded the Board that this is separate motion from the overall approval and it is consistent with the plan. Attorney Haulser also noted that the spacing of the units has been modified and pushed back from street.

Residence at Stedman

Mr. Lynch stated that the town council is working with Attorney Haulser and they are all in close agreement. The DHCD has a copy of the plan and is reviewing it. Mr. Lynch asked the Board not to take action tonight. Attorney Haulser wanted to thank the town council for his responsiveness to the developer. Mr. Haulser let the Board know that the loan will not be able to close without the Board's approval. The DHCD will give an oral approval but will not finalize until the Board has signed on.

Application for a One-Day Beer and Wine License: St. John the Evangelist Church:
James Sacce, 5 Jefferson Drive, Tyngsboro, the Co-Chair of Hospitality Committee requested a one-day liquor license for October 16, 2004.

> **Motion:** Selectman Eliopoulos made a motion to approve the beer and wine license for October 16, 2004 from 4p.m. to 5p.m. Selectman Newcomb seconded. Motion unanimously carried.

Application for a One-Day Beer and Wine License: Central New England Region, US Pony Club:
Lisa Brem of the Central NE Pony Club requested a one day liquor license for November 14, 2004 All Saints Episcopal Church in Chelmsford.

> **Motion:** Selectman Eliopoulos made a motion to approve the beer and wine license to the Central NE Pony Club for 5:30p.m.-10p.m. on November 14, 2004 at St. Johns Evangelist Church pending TIPS certification. Selectman Newcomb seconded. Motion unanimously carried.

Discussion followed by clarification on whether the form those citizens fill out to get a liquor license has a TIPS certified verification on it. After reviewing the form it was found that the form did state there was a TIPS certification on it.

Unscheduled Business:
Vote to Support Combined Maintenance Initiative:
Mr. Lynch referred the Board to job description and budget for the Combined Maintenance Program. Mr. Lynch will be meeting with the Superintendent to formalize the job description and plan, which will be a phase in project over the next 3 years. Mr. Lynch is asking the Board to endorse the plan before his meeting with the Superintendent. Selectman Newcomb asked if all Town buildings and grounds would fall under this initiative. Mr. Lynch stated that the only things that do not fall under the maintenance initiative would be the traffic aisles and the Town Common and that this responsibility would belong to the DPW and the Parks Department.

> **Motion:** Selectman Eliopoulos made a motion to endorse the Memorandum of Agreement for consolidation of facility maintenance between the Town Manager and School Superintendent. Selectman Newcomb seconded. Motion unanimously carried.

Discussion followed by Selectman McCall who asked who was responsible for the policies for the consolidation. Selectman McCall was concerned about decision on energy efficient material. Mr. Lynch stated that input from the Board would be needed. For the energy plan the schools input would also come from the Superintendent and that the school currently makes some minor energy efficient decisions. Selectman Eliopoulos asked if there would be a problem with the school department having its own energy budget and if monies would have to be taken from the town budget. Mr. Lynch does not see any problems in the school having its own budget but the process will be a phased in one.

Roadside Vendor Application: Gregory Spring – Christmas Trees & Wreaths:

Motion: Selectman Eliopoulos made a motion to approve a roadside vendor application to Gregory Spring of 34 Pine Hill Rd. to sell Christmas trees and wreaths at Sully's Ice Cream Stand from December 1- December 24 from 9a.m. to 9p.m. Selectman Newcomb seconded. Motion unanimously carried.

Selectmen Referrals:

Selectman McCall had the following referrals;

1. Look into whether municipalities can get a break on the purchase of more energy efficient vehicles and whether other municipalities have done so. Mr. Lynch stated that he has not seen any municipalities getting deals on energy efficient vehicles.

Selectman Weisfeldt had the following referrals;

1. Chairman Weisfeldt wanted to address the Chelmsford Athletic Director for the fine work done at the Friends of the Library event. Chairman Weisfeldt wanted to thank the Chelmsford Football team for all of the help at the Library.

Selectman Eliopoulos had the following referrals;

1. Selectman Eliopoulos mentioned how he was able to speak with Governor Romney's assistant while the governor was visiting Chelmsford. Selectman Eliopoulos was able to get time for discussion about the sound barrier issue and the Department of Revenue's information of commercial property. Selectman Weisfeldt reminded the Board that Modern Continental was recently bought out and he was concerned that this would mean the job on Rte 3 would not be completed.

Selectman Dalton had the following referrals;

1. Selectman Dalton referred a call to Mr. Lynch he received from a resident on Crooked Spring Road that after a recent sewer project, the yard received a steady flow of water. The resident has called the DPW but has not gotten any response.

Chelmsford Cable Television Public Ascertainment Hearing:

Chairman Weisfeldt began by reading into the record the public statement that went out to all residents of Chelmsford.

Kelly Beatty, resident 19 Dunstan Rd., President of the Chelmsford Telemedia since 1995. Currently Chelmsford Telemedia operates on channels 8, 10, and 22. Mr. Beatty's staff, which is located at the Parker Middle School, has created a number of programs produced by people within the community. The access provider has won 3 national prizes. The model to other communities is an accomplishment that Mr. Beatty addressed. Other communities are trying to set up non-profits themselves and are asking Chelmsford Telemedia how it is done.

Mr. Beatty stated that in 1995 Telemedia received $300,000 grant and in terms of today's equipment and technology this amount does not cover much equipment. Mr. Beatty would like to see a new contract that would allow Chelmsford Telemedia to grow. Also a survey was conducted on what residents might like to see and it was found that a local news program was on top. Mr. Beatty told the Board that 91% of Chelmsford subscribes to cable and Comcast is receiving about 10 million dollars a year from Chelmsford residents.

Mr. Beatty stated that a competitor would have to rewire because they can not share Comcast wires. Mr. Beatty informed the Board that Shrewsbury has taken ownership of the utility and with its owning their cable system they can offer different rates. Mr. Beatty also stated that with the amount of money that Comcast is making there should be a local cable news broadcast. Selectman McCall asked how Shrewsbury manages maintenance. Mr. Beatty stated that the town hires subcontractors to do the work.

Bruce Forster, Director of Technology in the Public Schools, stated that the present cable contract has made an impact on Chelmsford. Mr. Forster stated that technology is moving rapidly and the process of linking together through a network is possible through fiber optics. Mr. Lynch stated that the Town needs to build upon what it has accomplished and improve it to become all Fiber Optic.

Matt Scott, resident-20 Stage Rd., Director of Chelmsford Telemedia, wanted to thank his staff, Board, and producers. Mr. Scott is looking for continued support, and he also thanked the Board for its continued support through the years. Mr. Lynch mentioned the need to prepare for digital and high definition television. Mr. Lynch asked for a copy of what is needed to have for the record.

Dennis Ready, resident-2 Abbot Lane, cautioned the Board when creating a contract with Comcast. Comcast promised a local news show in the past and did not deliver. Mr. Ready stated that it was also a chance for the Town to make some money if they have a better contract.

Mark Branco, resident-12 Barry Drive, a music teacher with the Chelmsford Public Schools remarked how Chelmsford Telemedia has been able to record all of the Chelmsford art events. Some of the tapes have lead Chelmsford to receive awards and be able to perform at other venues.

Joseph McGann, resident-24 Marinel Ave., is a local story teller and Chelmsford Telemedia has helped him expand his services. Mr. McGann also mentioned that as his cable bill goes up the quality goes down.

Jack Fletcher, resident-43 Stedman St., is the Athletic Director of Chelmsford High School commented on how at least 1 game from each sport was broadcast every season. This is instrumental in college recruiting and giving kids good exposure. It also gets students involved in the productions, which is a positive experience for them.

Fred Peterson, resident-47 Parkerville Rd., a member of the Telecommunications Advisory Committee, stated that a fiber optic network could be used in schools as well as for public safety. Mr. Peterson mentioned that the FCC is pushing to change stations to digital and that Comcast has the highest technology available. Selectman Eliopoulos suggested a possible 5 year contract instead of 10 because technology is changing so rapidly.

Robert Haigh, resident-8 Fourth Lane, also a member of the committee, and Executive Director of Telecommunications in Lowell and gave the Board the following recommendations:

1. Chelmsford Telemedia is important to the community based on attendance at meeting.
2. Ask if there can be a senior discount can be offered.
3. Ask if there can be a customer payment window in town.
4. A creation of a cable advisory committee.
5. Ask about an all fiber optic system
6. Keep contract at 10 years because it creates a consistent operating environment and the state and federal government have a 3 year renegotiation process, which could cost town more money.
7. That there is no Channel Slamming. CMT has a branded image on many materials and would also loose town recognition.
8. Have a midterm review of contract
9. $300,000 10 years ago was a lot of money, but now it won't buy much.

Selectman Dalton asked if there were any residents in the audience who wanted to be heard regarding rates.

Bill Campbell, resident-9 Coach Rd. and local comedian stated that the programming was great and the Chelmsford Telemedia does a great job.

Connie Mead, resident-20 Dalton Rd., is a member of the Telemedia Board with a program entitled Health Styles, stated that the show is applicable to beyond the town and that all benefit from it.

Roland Bousquet, resident-102 Wightman St., produces the senior show. Mr. Bousquet stated that his program discusses important political issues in town and that a show like this is an asset to seniors.

Charles Keen, resident-49 Brick Kiln Rd., of Chelmsford Rotary in Action and is a staff member at Telemedia. Mr. Keen stated that a 10 year span was important and that CTM was very important and would like to see a network of towns.

Regina Linsley, resident-33 Brentwood Rd., produces the Travel with Regina is happy she, as a senior, can use the facilities and hopes to grow with Telemedia.

Tom Peterson, resident 157 Westford St., a Telemedia employee stated that technology to homes has not changed in 10 years and that maybe with Comcast Video on Demand, the Town could be plugged into this with its local access.

David Sperry, resident- 12 Longview Drive, consumer of the product stated he was happy with the service he receives but the rates are rather high.

Mr. Lynch stated that there is more public involvement than 10 years ago and will put together an RFP for the Board. Mr. Lynch stated that all of the information will be compiled (see Cable Issues on attached sheet);

1. Institutional Network to tie municipalities together
2. Customer service local
3. Senior Discount
4. Channel slamming

Motion: Selectman Eliopoulos made a motion to close the public hearing. Selectman Newcomb seconded. Motion unanimously carried

Meeting adjourned.

Next scheduled meeting is October 18, 2004.

Respectfully Submitted,

Patrice Garvin

Cable Issues

The issues, in no order of priority, are as follows:

- Institutional Network
  - Needs to be upgraded to all fiber as opposed to current fiber-coaxial hybrid so as to meet municipal needs.
  - Needs to be expanded to more municipal locations including public safety radio sites.
  - There is a need for increased bandwidth within the I-Net.
- Equipment Grant
  - Last contract we received $300,000. The equipment is now nearly ten years old and is in need of replacement due to age and/or changed technology. It was discussed that this funding was included and amortized within the rates therefore, it could be included again with little impact.
  - Consideration of changed technology (digital, high definition, etc.) upon public access equipment. Will such changes impact local programming? If so, should or could there be consideration of a technology re-assessment in the middle of the contract?
- Access Fees
  - Continuation of the current fee to meet operational needs of cable access.
  - What safeguards can be incorporated within the contract to prevent loss of fee revenues due to cable bundling and greater use of the internet (non-fee generating) as a means of video transmission?
- Local Customer Service
  - Can a local service center be located within the Town of Chelmsford?
- Inter-Municipal Programming
  - A connection be made between Chelmsford and Lowell, or other communities to facilitate public access programming between communities. This has become more significant with the Comcast elimination of the regional news programming.
- Emergency Notification Capabilities
  - Continuation of contract provisions regarding an emergency notification system with proviso that the system be tested on a regular basis.
- Senior Citizen Discount
  - Contract language to continue the senior citizen discount now in effect.
- Channel Slamming Language
  - Language to prevent Comcast from bumping the Town's PEG channels from the current locations.

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

October 18, 2004

Location of Meeting: Senior Center

REVISED*

6:30 p.m. **Call to Order**

Scheduled Business

6:30 p.m. Public Hearing: Application for Transfer of All Alcohol License
Jimmy's IV Restaurant, 147 Princeton Street
to Middlesex Foods, Inc., d/b/a Princeton Station

6:40 p.m. Public Hearing: Application for Common Victualer License
Keros Pizza & Subs,17 Vinal Square

***6:50 p.m.** Application for One-Day All-Alcohol License, Sts. Vartanantz Church

Unscheduled Business

- BOS Appointment: Town Accountant
- Chelmsford Telemedia Request for Fourth Channel
- Town Meeting Articles
- Continuation of Discussion: The Residence at Stedman

Next Regular Meeting: November 1, 2004

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, October 18, 2004
Chelmsford Senior Center, 75 GrotonRoad

Attending:
Stuart G. Weisfeldt, Selectman Chair
Philip M. Eliopoulos, Selectman Vice Chair
Thomas A. Newcomb, Selectman Clerk
William F. Dalton, Selectman
Michael F. McCall, Selectman
Bernard F. Lynch, Town Manager
Jeanne M. Parziale, Assistant to the Town Manager

BOS Appointment: Town Accountant:
Mr. Lynch informed the Board that Jean Sullivan had retired as Town Accountant and a new person was hired. A screening committee with two Board members was formed consisting of Mr. Lynch, Kerry Speidel, Finance Director, and Donna Walsh, the Town Accountant in Tewskbury. The committee screened 5 candidates and a unanimous decision was made to hire Sheryl Wright. Mr. Lynch informed the Board that Ms. Wright is the current Comptroller/Auditor in Lawrence and has over twenty years of experience. Ms. Wright also has experience with the Financial Management Information System or MUNIS software. Selectman Weisfeldt stated that of all of the candidates, Ms. Wright was above all of them.

> **Motion:** Selectman Eliopoulos made a motion to appoint the new Town Accountant, Sheryl Wright for a 3 year term subject to an approved contract. Selectman Newcomb seconded. Motion unanimously carried.

Discussion followed by Selectman Newcomb who asked what the anticipated starting date would be. Mr. Lynch informed the Board that the start date will be November 15, 2004.

Public Hearing
Application for Common Victualer License Kero's Pizza & Subs, 17 Vinal Square:
Selectman Eliopoulos asked if there was any member of the public present to speak for or against the proposed business. Mr. Sefein Hanna requested a common Victualer License for Kero's Pizza at 17 Vinal Square.

> **Motion:** Selectman Eliopoulos made a motion to close the hearing. Selectman Newcomb seconded. Motion unanimously carried.

> **Motion:** Selectman Eliopoulos made a motion to approve the application for the Common Victualer License to Sefein Hanna for Kero's Pizza & Subs at 17 Vinal Square with hours of Monday through Saturday 11a.m. to 11p.m. and on Sundays from 11a.m. to 10 p.m., with seating for 28 approved. Selectman Newcomb seconded. Motion unanimously carried.

Chelmsford Telemedia Request for Fourth Channel:
Mr. Lynch stated there is a need for more discussion with Chelmsford Telemedia. In the Chelmsford Contract with Comcast, there is a provision for a 4th Channel if it meets utilization standards. Mr. Lynch informed the Board that this would be in the best interest of Chelmsford, and will notify Comcast about receiving the additional channel. Mr. Lynch also told the Board that their authority is needed if the Town desires another channel and that a letter will be sent to Comcast.

> **Motion:** Selectman Eliopoulos made a motion to approve a fourth Channel. Selectman Newcomb seconded. Motion unanimously carried.

Unscheduled Business: Wetland Proposal:
Selectman Eliopoulos passed around information about a plan to cut the trees and replace them with wetlands, which will eliminate any buffer residents have to Route 3. Selectman Eliopoulos stated that he has facilitated a meeting with Mass Highway. He then stated that the wetlands are being required by the Department of Environmental Protection (DEP) and that the town might not have much say. Mr. Lynch responded that he would have his staff look into the legal issues and that the state owns the land in question and they can do what they want with said land. Selectman Eliopoulos claimed that a sound barrier could solve the problem. Selectman Eliopoulos also stated that the work to create a wetland could start within the week. Selectman McCall asked if the abutters could get an injunction, but again the state owns the land. Selectman Eliopoulos stated that the town should appeal to the DEP to see if the work can wait until the spring.

Public Hearing
Application for Transfer of All Alcoholic License Jimmy's IV Restaurant, 147 Princeton Street to Middlesex Foods, Inc., d/b/a Princeton Station:
James Rafferty, Esq. of Adams & Rafferty Law Firm, 187 Concord St., Cambridge is seeking a transfer of All Alcoholic license to Francis Jason, Owner Middlesex Foods and Kevin Mace, President of Middlesex Foods. Mr. Mace and Mr. Jason have extensive experience in business ownership. Mr. Jason owns Garrisons in Billerica. Mr. Mace owns the Village Inn in Dracut. Mr. Rafferty stated that neither have a record of violation and both are TIPS trained and certified. Mr. Rafferty also informed the Board that the previous owners were present for further questioning.

> **Motion:** Selectman Eliopoulos made a motion to close the hearing. Selectman Newcomb seconded. Motion unanimously carried.

Discussion from the Board from Selectman Dalton who pointed out that the license mentioned moving picture shows and floor shows. Selectman Dalton wanted to know what this entailed. Mr. Mace stated that it would be limited to dinner theater, live bands and material related to weddings.

> **Motion:** Selectman Eliopoulos made a motion to approve the transfer of all alcoholic licenses from Jimmy IV to Middlesex Foods, Inc. with Francis Jason as

manager subject to the hours of 6:00 a.m.- 2:00 a.m. Sunday through Saturday with the seating capacity as on application. Selectman Newcomb seconded. Motion carried. Selectman McCall abstained due to conflict of interest.

Public Hearing
Application for One-Day All-Alcohol License, St. Vartanantz Church:
Richard Mandanjian resident 46 Moore St., requested a One-Day All-Alcohol License for St. Vartanantz Church.

Motion: Selectman Eliopoulos made a motion to approve a One-Day All-Alcohol License for Sts. Vartanantz Church from 7: 00 p.m. to midnight on October 23, 2004. Selectman Newcomb seconded. Motion unanimously carried.

Continuation of Discussion: Residence at Stedman:
Mr. Lynch stated that he was going over the agreement between DHCD and the developer and suggests postponing issue to next meeting. Mr. Lynch stated that work on the project, which is a 40B, started before it was scheduled to and they have been told to stop at this time.

BOS Request for Information:
Selectman Eliopoulos requested the Board be provided with the following information:

1. List of businesses in Chelmsford under $150,000
2. Commercial and Residential Assessed price and Sale Price. Selectman McCall also noted that the commercial value of a business also has goodwill and the value of that business needs to be factored in to the assessment.

Meeting adjourned.

The next scheduled meeting is October 26, 2004.

Respectfully Submitted,

Patrice Garvin

TOWN OF CHELMSFORD
BOARD OF SELECTMEN WORK SESSION
Tax Classification
Tuesday, October 26, 2004
Chelmsford Town Hall, 51 Billerica Road

Attending:
Stuart G. Weisfeldt, Selectman Chair
Philip M. Eliopoulos, Selectman Vice Chair
Thomas A. Newcomb, Selectman Clerk
William F. Dalton, Selectman
Michael F. McCall, Selectman

Bernard Lynch, Town Manager
Jeanne Parziale, Asst. to Town Manager

Chairman Weisfeldt began the work session at 7:10 p.m. Mr. Lynch introduced members of the Tax Classification Committee in attendance: Dean Carmeris, Chair of Tax Classification Committee; John Duffet, and David Sperry committee members. Also present was Atty, Jeff Hoenig, from Town Counsel, Frank Reen, Town Assessor and Kerry Speidel, Finance Director. Mr. Lynch stated that the purpose of this session is to answer questions the Board may have on the final report submitted by the Tax Classification Committee.

1. Selectman Newcomb began by asking Mr. Reen what the disparity was in commercial property regarding the sale price and the assessed value. Mr. Reen stated that sales on property that are greater than 2-3 million dollars had the greatest disparity and anything less than that have less disparity.
2. Selectman Newcomb stated that he did not see a lot of sales in the commercial area. Mr. Reen replied that the DOR is specific when adhering to guidelines of the percentage of those sales to the total growth. Mr. Reen went on to explain that there are three approaches of evaluation: (1) The Market/Retail Method (2) Income Method and (3) Cost Method. Most appraisals have at least two methods.
3. Selectman Newcomb then asked Mr. Reen about the Vacancy Rate and whether this rate is applied across the board. Mr. Reen stated that there is a standard vacancy rate. Mr. Reen stated that there is a need to be equitable when establishing the vacancy rate and using the marketability of the property.

Selectman Weisfeldt wanted to know how to address disparity without using tax classification. Mr. Reen stated that there is a need to conform to the DOR guidelines and be able to legally defend any actions in court. Dean Carmeris stated that Chelmsford does not need to catch up, but that all towns have the same problems with the income method the DOR tells towns to use. It does not work on a large scale and the income method is a flawed method. Mr. Reen stated that the town is up against the same issues, and the law is clear on the valuation process.

Selectman Eliopoulos indicated if a building is assessed between $150,000-$1,000,000, the commercial ratio is close to residential ratio. Therefore, they are paying the same rate as residential homes.

Selectman Eliopoulos asked if it is legally defensible for a company that is fully occupied to get a 0 percent vacancy rate.. Mr. Reen replied that the appraisal is on a fee basis and there is a need to account for vacancy. Selectman Eliopoulos then stated that questionnaires went out and businesses not claiming vacancy the town still applies the 25.2% vacancy allowance. Selectman Newcomb stated that the vacancy rate applies because the building could experience a change in vacancy over time.

Mr. Lynch asked if the form that is sent out is to assist in getting the value of building or data for market as a whole. Mr. Reen responded that the property owners provide market information, and towns are working with property owners to get all of the information. Selectman Dalton asked what happens if questionnaires are not sent back. Mr. Reen stated that there is little recourse under normal conditions. If an appeal is pending at the ATB, the applicant is forwarded another form. Failure to comply timely can result in a dismissal. Mr. Reen stated that a site visit is planned throughout the year and about 10% are reached. Mr. Reen stated that the high tech buildings were pretty protective. Selectman Eliopoulos asked if that there wasn't a response from a questionnaire and a site visit there should not be any vacancy rate because they have not complied. Mr. Reen responded with his concern for fairness and tried to come up with a value that is the fair market price. Atty. Hoenig stated that this action could be seen as punitive. Mr. Lynch stated that the vacancy rate is across the board at fair market value per square foot. Mr. Reen told the Board that even if building has a 15 year lease, when it is assessed 8 years later you are looking at the current market. Mr. Reen stated that it is an academic approach more theoretical and it is a flawed method.

Selectman Newcomb stated that the usage of the property was also a factor and if there is more data the methodology could be improved. Mr. Duffet stated that there is no central place to go for the assessor. Mr. Lynch stated that the assessor is following the guidelines of the DOR and that the assessor is on the line in making valuations. Mr. Lynch stated that there is $400,000 set aside each year for any challenges of evaluations. If the town loses challenges repeatedly, it runs out of money and runs into a deficit impacting on other towns services. Mr. Duffet stated that the assessors look at current rulings at the appellate level to assist in making decisions of value.

Selectman Eliopoulos asked what if the town made a policy to reply to the forms or there is no vacancy rate given which brought up if this was legally defensible. If property stated they deserve a vacancy and puts in writing *no vacancy*, how do they defend this in court? Mr. Reen stated that if find a zero vacancy is found and is legally defensible, he cannot spot assess. Mr. Reen stated that the vacancy rate must meet the Massachusetts appraisal standards and that the DOR reviews to make sure assessors are conforming to those standards.

Selectman McCall stated that if the DOR finds an error that it should signal them to fix their problem. Dean Cameris stated that the DOR gave the towns Tax Classification to fix the problem. Which some of the Board stated was an assumption because the DOR never said this directly. Selectman McCall asked what is legally defensible and what rights does Chelmsford have in making valuations. How can the town look to outside towns that could be using the tax classification differently? What under law can the town do to fix problems? Mr. Lynch stated that there is no spot assessment done, but a blanket vacancy rate that is used across the board. Mr. Lynch stated that the town does not stick to value in lease but stick to square foot price and that is what they are taxed on.

Selectman McCall asked how stringent guidelines are because in wording "Should" is used therefore what are the limits under the law.

1. Selectman Eliopoulos asked what options have in not applying a vacancy rate and how to defend this position and what would the town have to do in order to make it a legally defensible position.
2. Selectman Eliopoulos asked that instead of applying the income method, looking at market/retail method because property over 1 million dollars is the problem. Looking at data from other towns as well as Chelmsford and getting someone to collect data.

Selectman Newcomb asked how feasible it was to collect data from other towns. Mr. Reen stated that cooperation not issue but some information will not be there because it is not public information.

Selectman Weisfeldt was concerned about how to rectify disparity with homes and businesses with classification. Selectman Eliopoulos stated the disparity is in the properties over 1 million dollars and classification may overly penalize properties under 1 million dollars. Selectman McCall stated that the small business exemption only affects 10%, which is not the full amount of classification to qualify. Mr. Reen stated those properties less than 1 million and less than 10 employees are saving for those who qualify.

Selectman Dalton asked what figures are used in the 3 year valuation. With residential rates take all the sales that occur take assessed value and divide it by the sales price and get an assessment sales ratio then find the middle point that has to be between 90 and 110 and the ideal number is 95.

Selectman McCall asked how to compare a sale to an assessment what tax for comparison. Mr. Reen stated that the sales in calendar year 2004 would be utilized in FY06. Now looking at 2003 sales for FY05 always trailing behind. There was a question of the information supplied to the board in terms of assessment date and sales. Mr. Reen FY03 sale valid sale utilized if FY05 to tie calendar year sales for fiscal year Mr. Reen will be looking at them. Assessment value at time of sales with proposed value with interim adjustments accounting for any adjustments from the town.

Selectman Eliopoulos stated that the price of sales is not equal to the assessed value because they are being looked at 1-2 years later. Mr. Reen responded by stating that the market is looked at in a historical view, not the current market that is increasing very rapidly.

Selectman Newcomb asked what the total commercial properties were sold, and of them how many were over 1 million dollars. Mr. Reen stated that of the 700 commercial properties, 30% were over 1 million dollars.

Selectman Newcomb asked what recommendations for the DOR could change and improve the process of assessment. Mr. Reen stated that a local and regional pooling of data and forms would help the process. Mr. Reen stated his goal is to get certified when conforming to the standards. Selectman Newcomb then asked if there is any town control delivering penalties if properties do not return the forms. Mr. Reen stated that the legislative level could do more and recommends the DOR be more responsive.

Selectman Eliopoulos asked that given most properties valued under 1 million dollars and tracking close to residential values is it fair to have a blanket tax classification for all commercial properties? Mr. Reen stated that as Selectman Eliopoulos phrased the question it would not be fair to classify. Selectman Newcomb pointed out that the problem is difficult because some properties are undervalued. Selectman Eliopoulos was concerned that some properties could end up 20% more than its value and these properties are then penalized; adding new problems.

Selectman McCall asked why a vote has to be done by November. Ms. Speidel stated that Board of Assessors votes in August allowing the town to do estimated bill. The town always puts out 3rd quarter bills, and to put this out the town needs to have a Performa tax recap to get final tax rate.

Selectman Newcomb questioned the committee's formula for looking at the disparity of commercial and residential. Mr. Carmeris stated that 10 years data number of sales smoothes out the numbers; anything's less than 10 years had wild values. Carmeris based on conditions of today that is best methodology as things change then adjusts methodology.

Mr. Duffet stated that it is difficult to get data from the DOR. Selectman McCall asked if there were any towns that had enough data to use the market/retail method. It seems there is not enough data from other towns, and other towns are trying to do what Chelmsford is doing with the collection of data.

Selectman McCall asked why the disparity is showing up now. Mr. Duffet stated that towns such as Billerica are aware of the problem and they are starting to catch up because now the disparity is creating issues for town residents who are picking up a large share the tax burden.

Meeting adjourned at 8:45 p.m.
The next scheduled meeting is November 1, 2004.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

November 1, 2004

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

- Veterans Day Proclamation
- Ducharme Family Memorial
- National Hospice Awareness Month

Open Session

Minutes of BOS Meetings

- Selectmen: August 23, 2004 / September 20, 2004 / September 27, 2004 / October 4, 2004 / October 18, 2004

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

- Police Station Gas Pump Island
- Cooperative Road Salt Bid

Scheduled Business

7:00 p.m. Public Hearing: Application for Class II Auto Dealer
M&M Towing, 85 Tyngsboro Road

7:10 p.m. Application for Extension of Hours: Country Club USA

7:15 p.m. Application for a One-Day Alcohol License: The Paul Center

7:20 p.m. Application for Roadside Vendor License: Central Congregational Church

7:30 p.m. **Tax Classification Hearing**

Next Regular Meeting: November 15, 2004

** This meeting is televised. **

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, November 1, 2004
Town Offices, 50 Billerica Road

Attending:
Stuart G. Weisfeldt, Selectman Chair
Philip M. Eliopoulos, Selectman Vice Chair
Thomas A. Newcomb, Selectman Clerk
William F. Dalton, Selectman
Michael F. McCall, Selectman

Bernard Lynch, Town Manager
Jeanne Parziale, Assistant to the Town Manager

Selectman Eliopoulos informed the audience that Chairman Weisfeldt will arrive late and he will fill in as chair until Chairman Weisfeldt arrives.

Public Service Announcements
Veterans Day Proclamation:
Selectman Eliopoulos read aloud a Proclamation that declared November 11, 2004 Veteran's Day and urged residents to remember the contributions of veterans living in Chelmsford. Regina Jackson, Assistant to the Veterans Agent, stated that on November 11 (11/11) at 11 a.m., the Town will host an event at Veteran's Park near the McCarthy School commemorating Veteran's Day.

Ducharme Family Memorial:
Selectman Eliopoulos read aloud a Proclamation that honored four brothers of the Ducharme family who served in World War II. A memorial will be dedicated in their name on November 11, 2004. Ms. Jane Nickels, niece of the Ducharme brothers thanked the Board and told them that the dedication ceremony will take place at 9:30 am on the corner of Lock Rd. and Westford St.

National Hospice Awareness Month:
Selectman Eliopoulos read aloud a Proclamation and declared November to be National Hospice Awareness Month.

Election Appreciation:
Selectman Eliopoulos read aloud a Proclamation that declared November 2, 2004 Election Appreciation Day. Selectman Eliopoulos thanked the 117 precinct workers who play a key role in the democratic process. Selectman Eliopoulos concluded by reminding everyone to get out and vote.

Open Session
John Swenson, resident-50 Mill Rd., stated that he has a problem with the sidewalk on Mill Rd. specifically the curb cut in front of his cornfield. Mr. Swenson has made many calls and has heard little response to his concerns. The curb cut stands at 40 ft and Mr.

Swenson asked it to be 100 ft. Mr. Lynch stated that the top goal is the safety of the pedestrians. Mr. Lynch has spoken with the DPW Director and the Police Chief and they all agree that there can not be a large curb cut as well as a sidewalk and that 40ft is appropriate. Mr. Lynch expressed that the Town would not be doing its job if it did not consider the safety of the public first, but he will look at all of the options. Mr. Swenson wanted the Board to know that he was not against the sidewalk, but he only wants to maintain his farming business.

Richard Defreitas, resident-61 St. Andrews Way, told the Board he would be unable to stay for the Tax Classification part of the meeting so he wanted to read into the record his statement.

1. The original report from 1995 had the best interest of Chelmsford and that the new committee changed the mission statement.
2. The make-up of the committee was those who advocated in the past for the removal of Boards of Selectmen and have a pro-classification bias. Mr. Defreitas stated that the 1995 committee had a balanced membership and that if classification was instituted Chelmsford would become a "ghost town".

Public Hearing
Application for Class II Auto Dealer M&M Towing, 85 Tyngsboro Rd.:
Selectman Eliopoulos asked if there was any member of the public present to speak for or against the proposed business.

Bruce Spencer, resident-Tyngsboro Rd., stated that he wanted to know the process that is in place to obtain a license, because he felt he had to go through more of a process to receive his license. Selectman Eliopoulos stated that the current applicant, M&M Towing is not seeking to expand their lot, therefore it is a different case.

Mostafa Amini requested a Class II license for 85 Tyngsboro Rd, for M&M Towing.

> **Motion:** Selectman Newcomb made a motion to close the hearing. Selectman McCall seconded. Motion unanimously carried.

Discussion followed by Selectman Dalton who asked if the applicant lived at the location. Mr. Amini stated that he did live on site.

> **Motion:** Selectman Newcomb made a motion to approve the application for the Class II license at 85 Tyngsboro Rd., granted to Mostafa Amini owner of M&M Inc. Subject to restrictions in letter from the building inspector dated October 27, 2004, for parking of 8 cars with a concrete bumper to prevent cars from overhanging; with no parking on the left hand side of the building. Selectman McCall seconded. Motion unanimously carried.

Application for Extension of Hours: Country Club USA:

David Cunha, owner-Country Club USA, requested a 1 hour extension of hours on November 24, 2004 from 1a.m. to 2a.m. Selectman Newcomb asked if the chief of police has approved this, and it was stated that he had. This has been done for the past 3 years.

> **Motion:** Selectman Newcomb made a motion to approve the request for Country Club USA to extend the hours for Wednesday November 24, 2004 to 1-2 am for the Country Club USA. Selectman McCall seconded. Motion unanimously carried.

Application for a One-Day Alcohol License: The Paul Center:
Marie Masotta, resident-84 Hunt Rd., requested a One-Day alcohol license for November 19, 2004, at the Paul Center. TIPS certification will be provided.

> **Motion:** Selectman Newcomb made a motion to approve a one-day all alcohol application for The Paul Center on November 19, 2004, from 7pm-11pm at the Chelmsford Senior Center subject to receipt of TIPS certification. Selectman McCall seconded. Motion unanimously carried.

Application for Roadside Vendor License: Central Congregational Church:
Mr. Lynch stated that this was a standard request to sell Christmas trees and leaves.

> **Motion:** Selectman Newcomb made a motion to approve a roadside vendor application for the Central Congregational Church from November 27 to December 20, 2004 from 9am-9pm for the purpose of selling Christmas trees and wreaths. Selectman McCall seconded. Motion unanimously carried.

Town Manager Report:
Mr. Lynch stated that the Route 4 design will occur this spring and the construction will start next fall.

Town Manager Bids/Contracts Granted:
1. Mr. Lynch informed the board that the gas pump island at police station will be awarded to the Sorco Corporation.

> **Motion:** Selectman Newcomb made a motion to approve the award for construction of a pump island for $24,995 to the Sacco Corporation. Selectman McCall seconded. Motion unanimously carried.

2. Mr. Lynch stated that the Cooperative Road Salt Bid will go to Granite State Minerals, Inc. with a bid of $39.11 per ton.

Motion: Selectman Newcomb made a motion to approve the award for Cooperative Road Salt Bid to Granite State Minerals Inc. for $39.11 per ton. Selectman McCall seconded. Motion unanimously carried.

Minutes of BOS Meetings:

Motion: Selectman Newcomb made a motion to approve the BOS minutes for August 23, 2004; September 20, 2004; September 27, 2004; October 4, 2004; and October 18, 2004. Selectman McCall seconded. Motion unanimously carried.

Tax Classification Hearing:

Selectman Eliopoulos stated that the Board would hear those who are in favor of tax classification first then hear those who are opposed.

IN FAVOR

Jack Duffet, resident-47 Thomas Drive, a member of the tax classification committee and a resident spoke in favor of tax classification. Mr. Duffeit stated that he and the members of the committee have been called biased, and liars by omission. Mr. Duffet told the board that properties assessed at over 1 million dollars need to be addressed and that 51% of properties are being under assessed. Mr. Duffet stated that the residents in town have had an extra tax burden over the past 10 years. Mr. Duffet also stated that the Chelmsford Business Association (CBA) is claiming that upon passage of this classification, Vinal Square will disappear, which is untrue. Mr., Duffet concluded by stating that the Board is either with the businesses or the residents.

Steve Flynn, a precinct 3 representative, feared the Board had already made up its mind and should not ignore the nine months work by the Committee. Mr. Flynn stated that the residents need a break because their rates are up while the businesses are down. Mr. Flynn wanted the Board to respect the findings of the Committee. Mr. Flynn mentioned that Chelmsford was 80% home owners and this decision will impact them greatly; especially retirees, whose social security checks barely cover prescriptions.

Cheryl Perkins, resident-Warwick Drive, stated she is a 20 year resident and a small business owner. Ms Perkins also pays rent for her business and every 3 years she renegotiates her lease. Ms. Perkins presented a chart provided from the committee that indicates that over the past 10 years residents taxes has gone up 53% while the business taxes have gone down 6%. Ms. Perkins asked the Board how they are representing her as a resident and the need to be mindful of residential tax payers. Ms Perkins recognized that the Board can not solve the problem with inaccurate assessments but could solve the gap problem that exists.

Jack Emerson, former member of the BOS and a member for six terms of the Sewer Commission, is in favor of classification. Mr. Emerson urged the Board to have the courage to vote for classification. Mr. Emerson stated that the Sewer project has brought great progress to the businesses in town and it is time for classification. Mr. Emerson

also mentioned that the elderly and the retired no longer can afford Chelmsford and asked the Board to help.

Dean Carmeris, resident- Higate Rd., Chairman of the classification committee who wanted to speak as a resident. Mr. Carmeris stated that the cornerstone of the mission statement is about fairness, and the goal is to see what property tax should be and if there are any corrections needed. Mr. Carmeris stated that classification was a tool for correcting problems that might be found when assessing properties. Mr. Carmeris reminded that Board that residents continue to share the burden and are compensating for the problem. Mr. Carmeris ended by stating the Board must find a tax policy that is fair to all tax payers.

AGAINST

Jeff Hardy, resident-5 Maple Ave, President of the CBA stated the classification committee missed a great amount of data. Mr. Hardy told the Board that the 1995 committee had a diverse membership with 2 people from businesses, 2 residents and 2 assessors while this current committee has 7 residents coming up with subjective conclusions on a revised mission statement. Mr. Hardy stated that the current committee ignored 3 impartial panels that have dismissed classification for communities, and a Worcester 2003 study stated that community was devastated by tax classification. Mr. Hardy cited evidence that schools that have a healthy business community are stronger, i.e. business sponsorships. Mr. Hardy questioned how the committee collected their data. He stated that the CBA represents 300 businesses and that commercial and residential are assessed evenly and that there will be a long term negative effect of classification. Mr. Hardy recognized a wedge in town that he feels was created with the school project. Mr. Hardy stated that the chair of the current committee sees classification as a tool from the DOR, but wanted to know that if the DOR sees a problem wouldn't they try to fix it.

Glen Thoren, Chairman of the 1995 Tax Classification Committee stated that the residential and commercial properties were assessed fairly. Mr. Thoren stated that a ax classification would depress businesses when they joined the community. Mr. Thoren cited the Worcester 2003 study which stated that with their classification, residents now pay higher taxes. Mr. Thoren noted that as of 1990, six towns have added classification and are now fixed to it and can not get out and if there is an amendment to fix it will not happen fast. Mr. Thoren noted that of all of the 1,000 assessors in Massachusetts there have not been any systemic problem taxing businesses. Mr. Thoren then offered to the Board that during the 10 year period looked at for data by the current committee there was a technology boom where businesses were selling for over twice their assessment. Mr. Thoren stated that by taking these three years skews the average of the 10 year period and that there were 17 overbids in three years. Mr. Thoren asked the Board to look behind the numbers from the current committee.

Rhodes Johnson, served on the board past Boards of Selectman and part of the first classification vote stated that this is a double tax and that is why he voted against it. Mr. Johnson stated that it was wrong then and it was wrong now.

Jamie Campos, Co-Owner of Flaky Pastry, stated that he appeared before the board 10 months ago for a license and now has to stand here again against classification. Mr. Campos stated that he took part in the survey the current committee conducted. Mr. Campos thought a 31% increase in tax would be a burden on him and was surprised he would have to fight for it.

> **Motion:** Selectman Eliopoulos made a motion to close the public hearing. Selectman Newcomb seconded. Motion unanimously carried.

Discussion followed with input from the town assessor:

Frank Reen, town assessor, began by giving the Board scenarios of what would happen if the town changed to a split tax rate. Mr. Reen stated that it is more difficult to assess properties over 2 million dollars because it becomes more academic and rooted in methodology.

Selectman Newcomb asked if there is a disparity across the board with a property being assessed lower. Mr. Reen acknowledged that there was a disparity. Selectman McCall asked if properties under $1 million dollars are in line with residential properties and Mr. Reen responded that they were. Mr. Reen stated that the sharing of data from the DOR would help some of the problem

Selectman Eliopoulos stated that the Board should be trying to implement policy to fix the problem and hire counsel that can help us do this. Selectman Newcomb stated that the problem is across the board and the business community needs to help in this effort. Selectman Newcomb stated that there is a lack of data because not all of the business are compliant with surveys that go out to them which is a 50-60% return rate.

Selectman Newcomb stated that if policy is going to correct the problem it would take years to see, and the committee's report stated that a short term compensation is in the best interest of the town because it would make up for past inequities. Selectman Newcomb suggested a 10% increase in tax for first year and then to eliminate once changes in policy take place. Selectman Eliopoulos then responded by stating that a short-term and long term impact from classification needs to be looked at. Selectman Eliopoulos stated that the current committee's report did not discuss long-term impacts to town and how the burden over time could shift back to residents. Selectman Weisfeldt stated the Board revisits the tax issue every year and the Board changes overtime and nothing is done.

Selectman McCall stated that he spoke with Marilyn Brown, Chief at the Bureau of Assessment and asked her how much leeway exists in using the market sales approach. Selectman McCall spoke with Ms. Brown about LA3 data not being provided because it needs to be a qualified sale, therefore much of the sales data is coded. It was discussed that it is difficult to analyze data without a real-estate background. Selectman McCall also stated that he found that if there is a problem with the assessment it is the assessor's problems, but was quick to compliment Chelmsford's assessor. Selectman McCall saw

the problem as an assessment problem first, and maybe the town could use data from other towns and work with assessors from other towns to help fix the problem. Selectman McCall concluded by stating that a meeting could occur between the BOS and a commissioner at the DOR

Mr. Lynch stated that there is a need to improve the methodology to achieve commercial assessed property that is fair. Mr. Lynch then stated that this subject matter is for future Board meetings because it could take a long time to create policy. Selectman Eliopoulos stated the need for (1.) Feedback from competent counsel. (2.) Feedback from Selectman McCall's contact (3.) Feedback from Mr. Reen.

> **Motion:** Selectman Dalton made a motion for a single tax rate in Chelmsford. Selectman Newcomb seconded for discussion.

Discussion followed by Selectman Newcomb who stressed that there has been an identification of a problem, and that residents taxes are up and businesses are down. Mr. Reen stated that the residential property value goes up faster.

Selectman Eliopoulos stated that there was a change in the mission statement that does not address long-term effects of classification therefore it needs to be looked into further. Selectman Newcomb disagreed by stating that a small 10% increase will get the town closer to where they need to be to fix the problem. Chairman Weisfeldt agreed that a 10% increase would get things going.

Selectman Dalton stated that in 1995 the committee stated tax classification does not work and 10 years later there is still a problem and that classification could hurt the community. Selectman Dalton stated it was fair to stay with a flat rate. Selectman Eliopoulos stated the vote needs to be right for the Town and suggested finding the problem and then decide how to move forward. Selectman Eliopoulos added that tax classification will not fix assessment, which the assessors need help to fix it.

Selectman McCall thanked the committee for work and stated that and that the data is not black and white. Selectman McCall stated that a small percent of businesses have a problem and if this problem is not fixed the residents and the other commercial will shoulder the burden; 90% of businesses are small and it is the large businesses that have the disparity.

> **Motion:** Selectman Dalton made a motion for a single tax rate in Chelmsford. Selectman Newcomb seconded. Motion carried.
> For: Sel. Dalton, Sel. Eliopoulos and Sel. McCall
> Opposed: Sel . Newcomb and Chairman Weisfeldt

Meeting Adjourned
Next scheduled meeting is November 15, 2004

Respectfully submitted.

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

November 15, 2004

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

Open Session

Minutes of BOS Meetings

Selectmen: Work Session – October 26, 2004

Town Manager Reports

Town Manager Appointments
- Director of Facilities

Town Manager Bids/Contract Awards
- School Architect
- School Project Manager

Scheduled Business

7:30 p.m. Public Hearing: Application for Victualer License - A La Carte
12 Chelmsford Street

7:35 p.m. Public Hearing: Application for Change of d/b/a, Sombrero's Restaurant
To Angelina's Pizza, and an Alteration of Premises on the All-Alcohol Beverage License, 170 Concord Road

7:40 p.m. Application for a One-Day Beer & Wine License - All Saints Episcopal Church

Unscheduled Business
- Disclosure Statement of CHA Board Member/Affordable Housing Eligibility
- BOS Votes: Approval of Regulatory Documents for Orchard Woods Comprehensive Permit and Residence at Stedman Comprehensive Permit
- Park Place Boundary Agreement

Selectmen Referrals
Press Questions
Executive Session

Next Regular Meeting: November 29, 2004

** This meeting is televised. **

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, November 15, 2004
Town Offices, 50 Billerica Road

Attending:
Stuart G. Weisfeldt, Selectman Chair
Philip M. Eliopoulos, Selectman Vice Chair
Thomas A. Newcomb, Selectman Clerk
William F. Dalton, Selectman
Michael F. McCall, Selectman

Bernard Lynch, Town Manager
Jeanne Parziale, Assistant to the Town Manager

Minutes of BOS Meetings:

Motion: Selectman Eliopoulos made a motion to approve the BOS minutes for the BOS Work Session on October 26, 2004. Selectman Newcomb seconded. Motion unanimously carried.

Town Manager Reports:

1. Mr. Lynch informed the Board that the Town's new Town Accountant, Sheryl Wright, began work on November 15. Jean Sullivan has stayed on during the transition. Mr. Lynch stated that it has also been helpful to have the auditors there for FY04, making for a smooth transition.
2. Budget: Mr. Lynch stated that work is being done to prepare the FY05 budget which will once again be tight due to limited State aid, given the State's $900 million dollar structural deficit. Mr. Lynch stated that work is being done to reduce costs for the Town. (1) Purchasing natural gas from a new company. (2) The new deregulations act allows buying of some street lights rather than leasing. Selectman Dalton asked if ownership has been done in the past. Mr. Lynch stated that 1/3 of the street lights are owned by the Town and that Mass Electric can bid as a possible vendor.
3. Traffic Calming Policy on Sycamore and Smith St. is progressing. The Police are conducting speed studies, however, it appears the real problem is traffic volume and not speed on Sycamore. Selectman Dalton asked if sidewalks on Smith St. are being installed because seniors are looking for access to public and commercial areas. Mr. Lynch stated that Smith Street is not a wide road. To put sidewalks on Smith Rd. might require cutting into private properties.
4. Mill Rd: Mr. Lynch stated that the sidewalk on Mill Rd. is close to being done. Selectman McCall asked where the Town was with Mr. Swenson, who addressed the Board at their prior meeting. Mr. Lynch stated that there will be two 30ft. curb cuts at the entrance to the property. Discussion continued as to what the best footage could be to alleviate Mr. Swenson's concerns about being able to conduct his business. Mr. Lynch stated that he would look into the matter and that public safety is the Town's top concern.
5. Property Assessment: Mr. Lynch stated that he was happy with the work of the Tax Classification Committee and the report opened eyes to the issues of assessments of commercial properties and that Chelmsford is becoming the leader in the State on this

issue. Mr. Lynch outlined his plan to go ahead with looking into the problem: (1) Meeting with Frank Reen, town assessor (2) Work with Town Counsel (3) Letter from Department of Revenue (DOR) (4)Talk to the DOR to get a better handle on how the DOR handles assessments and build up regional partnerships. (5) Talk to other town managers and assessors, manager associations, municipal associates and the assessors association. (6) Move into policy development by having work sessions at the beginning of the next year.

Selectman Eliopoulos stated that it would be helpful for the Board to have joint meeting with Town Counsel and the Town Assessor. Selectman Eliopoulos then stated that the Board should meet again with the Tax Classification Committee for follow-up. Selectman Eliopoulos suggested that the Board should have a mission statement that states the goal of the Board. Selectman McCall stated that the Board should have measurable goals and impacts. Selectman Newcomb suggested the Board meet create questions to ask the DOR when they meet.

Town Manager Appointments:

Mr. Lynch stated he appointed Gary Persichetti as Director of Facilities. Mr. Persichetti has worked almost four years at the School Department. Mr. Lynch stated that there is no employment contract. The Director of Facilities is a regular appointment following a memorandum of understanding.

Motion: Selectman Eliopoulos made a motion to approve the Town Manager's appointment of Gary Persichetti to the position of Director of Facilities. Selectman Newcomb seconded. Motion unanimously carried.

Town Manager Bids/Contract Awards:

1. School Architect: Flannsberg has worked throughout the state and is a top architectural firm. Selectman Newcomb stated that the school building committee likes how this firm looked at the school plans and was willing to add to the discussion rather than build what was put forth. Mr. Lynch stated that he was impressed with Flansberg and their bid ($1,973,000) was in line with the Town budget.

   Motion: Selectman Eliopoulos made a motion to approve the Town Manager's award of School Architect to Flannsberg for the total of $1,973,000. Selectman Newcomb seconded. Motion unanimously carried.

2. School Project Manager: The top candidate from the School Building Committee is Turner Construction, with a bid of $650,000. This bid came in under budget.

   Motion: Selectman Eliopoulos made a motion to approve the Town Managers award of School Project Manager to Turner Construction in the amount of $650,000. Selectman Newcomb seconded. Motion unanimously carried.

Public Hearing

Application for Victualer License – A La Carte, 12 Chelmsford St.:

Elizabeth Cox requested a Common Victualer license for A La Carte, a small gourmet sandwich shop on 12 Chelmsford St., to open the second week of December seating 4-8 people with a focus on take-out.

> **Motion:** Selectman Eliopoulos made a motion to close the hearing. Selectman Newcomb seconded. Motion unanimously carried.

Discussion followed by Selectman Eliopoulos by asking Ms. Cox if she planed on being open on Sundays and that she should put it on her application in case she changes her mind in the future. Ms. Cox stated that she would like to change her hours on the application to read Monday – Sunday 11am-7pm.

> **Motion:** Selectman Eliopoulos made a motion to approve the application for the Common Victualer License to Sefein Hanna for A La Carte on 12 Chelmsford St. with hours of Monday through Sunday 11a.m. to 7p.m. with the seating for 8. Selectman Newcomb seconded. Motion unanimously carried.

Application for Change of d/b/a, Sombrero's Restaurant to Angelina's Pizza, and an Alteration of Premises on the All-Alcohol Beverage License, 170 Concord Rd.:

Vincent Cicerchia requested a name change from d/b/a Sombrero's Restaurant to d/b/a Angelina's Pizza and requested to reduce the size of the site to 2,000 square feet. Mr. Cicerchia told the Board that 1,000 square feet of the total building space is being leased to a workout facility. Mr. Cicerchia stated that the building inspector has signed off on the site and that the manager of the facility would stay the same.

> **Motion:** Selectman Eliopoulos made a motion to close the hearing. Selectman Newcomb seconded. Motion unanimously carried.

> **Motion:** Selectman Eliopoulos made a motion to approve a change to All Alcoholic Beverage license to Vincent Cicerchia d/b/a Angelina's Pizza and to approve alterations as shown on the site plan. Selectman Newcomb seconded. Motion unanimously carried.

Application for a One-Day Beer & Wine License – All Saints Episcopal Church:

Oliver Chamberlain requested an all-day beer and wine license for the All Saints Episcopal Church on November 20, 2004.

> **Motion:** Selectman Eliopoulos made a motion to approve a beer/wine license for November 20, 2004 from 5:30 pm – 10:30 pm to All Saints Episcopal Church contingent on TIPS certification. Selectman Newcomb seconded. Motion unanimously carried.

Unscheduled Business:

1. Disclosure Statement of Chelmsford Housing Authority Board Members/Affordable Housing Eligibility: Mr. Lynch explained to the Board that Andrea MacMillan White, the governor's appointee to CHA applied for affordable housing prior to her appointment. She has been selected by the lottery for an affordable housing unit and is required to disclose this information to the Board of Selectmen in order to continue serving as a member of the CHA.

   Motion: Selectman Eliopoulos made a motion to approve Andrea MacMillan White's participation on the CHA. Selectman Newcomb seconded. Motion unanimously carried.

   2. BOS Votes: Approval of Regulatory Documents for Orchard Woods Comprehensive Permit and Residence at Stedman Comprehensive Permit:
   Mr. Lynch stated that the Board needed to vote on the approval of regulatory agreements which outline the conditions of the comprehensive permits.

   Motion: Selectman Eliopoulos made a motion to approve regulatory documents for Orchard Woods comprehensive permit project at 130 Turnpike Road: Regulatory Documents to include, Regulatory Agreement, Monitoring Services Agreement and Deed Rider. Selectman Newcomb seconded. Motion unanimously carried.

   Motion: Selectman Eliopoulos made a motion to approve regulatory documents for Stedman Road comprehensive permit project: Regulatory Documents to include, Regulatory Agreement, Monitoring Services Agreement and Deed Rider. Selectman Newcomb seconded. Motion unanimously carried.

   3. Park Place Boundary Agreements:
   At Town Meeting, action boundary lines for 12 Park Place were corrected with areas that had been around by the golf course were transferred over to the Town. A new Survey corrected the boundary line, which was reviewed by counsel. The Town is not giving up any land it encroached upon.

   Motion: Selectman Eliopoulos made a motion to approve the boundary agreement and to accept the deed between 12 Park Place Reality and the Town of Chelmsford for the property at 12 Park Place. Selectman Newcomb seconded. Motion carried with Selectman Eliopoulos abstaining.

Selectman Referrals:

Selectman McCall made the following referrals:

1. Selectman McCall stated that he was able to get a hold of the Governors Aid and a meeting may occur after the first of the year.
2. During the winter, cold patching fixes the pot holes. There are a lot of pot holes where sewer work was done; Gorham St., State Rd., Littleton Road and Boston Road. Mr. Lynch will look into the problem

Selectman Newcomb made the following referrals:

1. Selectman Newcomb stated that in South Chelmsford an odor is strengthening due to fertilizer used on a nearby property. It seems when the fertilizer gets wet the odor returns. Mr. Lynch stated that there is not much that can be done but asked the property owner could be more cooperative.
2. There was a question with regards to Central Square and its street lights. Mr. Lynch stated that the project is out to bid and should be done by early spring. Selectman Newcomb then asked if the lights were operational on a 24 hour loop. Mr. Lynch stated that ½ of the lights are but there was an issue on the punch list because one light is out all of the time. Also at the left turn in the square a sign has turned around making it no left turn in a left turn only lane. Selectman Newcomb told the Board that the businesses in Central Square have asked to meet and then Selectman Newcomb will report back to the Board.
3. Selectman Newcomb mentioned the ribbon cutting ceremony of the new water facility on Riverneck Rd. which was done under budget and under time.
4. Selectman Newcomb referred to the charter meeting the week prior and that there is an effort underway to place the issue on the ballot in the spring. Selectman Dalton stated that there needs to be 3,442 signatures to get on the ballot.

Selectman Eliopoulos made the following referrals:

1. Selectman Eliopoulos asked if a brief presentation could be given to the Board on the events that will take place for Chelmsford 350th Celebration next year.
2. Selectman Eliopoulos has received two calls in regards to grinder pumps failing and wanted to know what happens when they break. Mr. Lynch stated that the DPW could help with this. Selectman Eliopoulos suggested that the Town have a few on hand in case of emergency and that there are emergency numbers available so people will know who to call.
3. The PTO's in Town are concerned with the liability with having functions on school property. Selectman Dalton asked what happens if the Town rents out a building to different organizations then someone gets hurt. Mr. Lynch stated that the Town is insured. Selectman McCall stated that the PTO is a special exception but any other vendor needs their own insurance.
4. The Veterans Day Celebration at the Ducharme memorial dedication had good weather and went very well.

Selectman Dalton made the following referrals:

1. Selectman Dalton stated that there were complaints of the sound from the last televised meeting of the Board. Mr. Lynch stated that he would check this out with Chelmsford Telemedia.
2. Work on Crooked Spring has made some progress and residents are being spoken to about the project.

Chairman Weisfeldt made the following referrals:

1. Flu Shot clinics are being set up by the BOH.
2. The annual Thanksgiving breakfast will be held with fellow Selectmen from Billerica but nothing has been finalized.

3. Chairman Weisfeldt wanted to thank the Tax Classification Committee for all of their hard work.

Meeting adjourned at 8:25pm.

Next scheduled meeting is November 29, 2004.

Respectfully submitted,

Patrice Garvin

CHELMSFORD BOARD OF SELECTMEN
MEETING AGENDA

December 13, 2004

7:00 p.m. **Call to Order - Pledge of Allegiance**

Public Service Announcements

Open Session

Minutes of BOS Meetings
- Selectmen: May 10, June 14, November 1, November 15

Town Manager Reports

Town Manager Appointments

Town Manager Bids/Contract Awards

Scheduled Business

7:30 p.m. Public Hearing: No. Chelmsford Auto Parts /Class III Auto Dealers

7:40 p.m. Application for Change in Manager: Hong & Kong Restaurant, Parlmont Plaza

7:45 p.m. Application for Extension of Hours: Chelmsford Country Club

Unscheduled Business

- Annual License Renewals
- BOS Vote: Monitoring Services Agreement, Windemere at Chelmsford

Selectmen Referrals

Press Questions

Executive Session

Next Regular Meeting: January 3, 2005

** This meeting is televised. **

TOWN OF CHELMSFORD
BOARD OF SELECTMEN MINUTES
Monday, December 13, 2004
Town Offices, 50 Billerica Road

Attending:
Stuart G. Weisfeldt, Selectman Chair
Philip M. Eliopoulos, Selectman Vice Chair
Michael F. McCall, Selectman
Bernard Lynch, Town Manager
Jeanne Parziale, Assistant to the Town Manager

Absent:
William F. Dalton, Selectman
Thomas A. Newcomb, Selectman Clerk

Open Session:
Robert Casamero of Weymouth, MA spoke to the Board on behalf of John Adams, about the Massachusetts Constitution and the need for in to be taught. Mr. Casamero stated that he attended a workshop given by John Adams and introduced John Adams to the Board.

John Adams (1735-1826), resident-Braintree, stated that he had sent a letter to the Board to promote the MA Constitution and claimed that not many people know about MA constitution and is not taught in MA schools. Chairman Weisfeldt responded by suggesting Mr. Adams address the school committee. Mr. Adams stated that he in fact tried to address the school committee but he was unable to contact the committee. Selectman Eliopoulos mentioned that there was an open session at the school committee meetings where Mr. Adams could address the committee. Mr. Adams asked the Board if he could tell the school committee he was refereed to them by the BOS.

Minutes of BOS Meetings:

Motion: Selectman Eliopoulos made a motion to approve the BOS minutes for the BOS Meetings on May 10, 2004, June 14, 2004, November 1, 2004 and November 15, 2004. Selectman McCall seconded. Motion unanimously carried.

Town Manager Reports:

1. Mr. Lynch stated that the Town invested in the purchase of street lights from Mass Electric and has received proposals to transfer the remaining street lights to the town. Mr. Lynch stated that by the next Board meeting he will have some bids to report.
2. Mr. Lynch stated that the cable TV renewal contract is issuing a Request For Proposals and negotiations will occur in late January where Selectman McCall will sit in.

3. Budget:

(a) Mr. Lynch stated that the state has a 1 billion dollar deficit but there may be better tax revenue, which was better than anticipated. Mr. Lynch also stated that the lottery monies the Town receives may also be better than expected.

(b) Mr. Lynch stated that on the expenditure side that the Solid Waste Contract expires June 30th and the Town is looking at Russell as well as other vendors.

(c) Mr. Lynch stated that health insurance is trending higher and the Town is looking at a 20% increase which is $6-7 hundred thousands above projection.

4. Jim Pearson, DPW Director, addressed the Board with the Snow Removal Plan.

(a) The forecast is received through private computer links and local services.

(b) Accumulation of 1 inch of snow, the Town sends out 10-11 sanders and treats roads with salt and sand.

(c) Accumulation of 3 inches or more snow, the Town sends out 23 town employees and 45 private contractors.

Mr. Pearson stated that there are different kinds of equipment used depending on the storm. Mr. Pearson stated that the first goal is to give emergency vehicles access to homes and then once storm ends push back the snow to the curbs.

(d) All vehicles should be removed from the street if there is an impending storm. Mr. Eliopoulos asked if a non town vehicle is damaged is insurance collected and Mr. Pearson responded by saying that insurance is on file. Mr. Pearson stated that about 15 Town properties are plowed out schools, ice rink, municipal lots library but the streets are done first. Chairman Weisfeldt asked where the snow from the center will go and Mr. Pearson responded by stating that the snow will go behind the Town Hall in the ball fields.

Public Hearing

No. Chelmsford Auto Parts/Class III Auto Dealer:

Paul Linehan an abutter to the property on Sleeper St. stated issues with the use of a gate on the street and the frequency of vehicles being parked beyond the gate for long periods of time. Mr. Linehan stated that vehicles come and go and dumpsters have been stored outside of the gate as well all of which are violations are what was agreed upon last year. The complaints have been issues to the police and Mr. Linehan had photographs of the property. Mr. Linehan also commented on a dog running free in the yard. Mr. Linehan had no objection with the business his concern was the property being used for storage in front of the fence and it is being abused.

Alex Davies, manager of the yard met with Mr. Linehan and stated that if there is a problem he would move the vehicles. Mr. Davies stated that the dog officer had come to the property and the dog goes home with Mr. Davies every night. Selectman McCall stated that vehicles are not supposed to be outside of the gate. Mr. Davies stated that there is a tractor trailer parked there occasionally but it is no longer there. Mr. Lynch stated that Sleeper St. is for deliveries and pick-ups over 5 tons and that no vehicle should be outside the gate for more than 10 minutes. Mr. Davies stated that he does the best he can to move deliveries and pick-ups along.

Motion: Selectman Eliopoulos made a motion to close the hearing. Selectman McCall seconded. Motion unanimously carried.

Discussion followed by Selectman Eliopoulos stating that conditions should be placed on the license so that no vehicle is left outside for more than 10 minutes and that he was hesitant to renew the license. Chairman Weisfeldt suggested the imposing fines that were discussed a year ago. Mr. Lynch was not sure of the legality and suggested that a condition be placed on the license and if violated then the license would be terminated. Selectman Eliopoulos stated that it needed to be made clear that if complaints happen and an inspection occurs a hearing will need to be the next step. Selectman Eliopoulos stated that there should be no vehicles overnight. Mr. Lynch stated that more research needed to be made into what was stated the prior year.

Motion: Selectman Eliopoulos made a motion to approve a Class III license to No. Chelmsford Auto Parts with the condition that if any vehicles are left outside for more than 30 minutes (amended from 10) and if complaints are lodged, No. Chelmsford Auto Parts will be subject to a hearing and the possible revoking of their license. Selectman McCall seconded. Motion unanimously carried.

Application for Change in Manager: Hong Kong Restaurant, Parlmont Plaza:
Richard Eng, President Hong Kong Restaurant at 32 Alpine Rd. asked for approval to transfer of liquor license to the new manager from Joseph Eng who is no longer with the business. Mr. Eng is TIPS Certified.

Motion: Selectman Eliopoulos made a motion to approve a change of manager to Richard Eng. Selectman McCall seconded. Motion unanimously carried.

Application for Extension of Hours: Chelmsford Country Club:
John Resnick asked the board to extend hours on December 31, 2004, from 12am to 1 am.

Motion: Selectman Eliopoulos made a motion to approve a beer/wine license for November 20, 2004 from 5:30 pm – 10:30 pm to All Saints Episcopal Church contingent on TIPS certification. Selectman Newcomb seconded. Motion unanimously carried.

Mr. Lynch stated that Mr. Resnick has been the manager of the Chelmsford Country Club for the past 4-5 months and that it has been going very well.

Annual License Renewals:

Motion: Selectman Eliopoulos made a motion to approve a Lodging House License for 2005 to Leo Forcier, 146 Tyngsboro Road. Selectman McCall seconded. Motion unanimously carried.

Motion: Selectman Eliopoulos made a motion to approve an Automatic Amusement License for 2005 to DePalma Lanes. Selectman McCall seconded. Motion unanimously carried.

Motion: Selectman Eliopoulos made a motion to approve the following All Alcohol Club License for 2005 to The American Legion and Chelmsford Elks Lodge 2310- Contingent upon posting; ABCC signs. Selectman McCall seconded. Motion unanimously carried.

Motion: Selectman Eliopoulos made a motion to approve the following All Alcohol Innholders Licenses for 2005 to Chelmsford Hotel Company; PKS Realty, Inc d/b/a Best Western. Selectman McCall seconded. Motion unanimously carried.

Motion: Selectman Eliopoulos made a motion to approve the following Beer and Wine Licenses for 2005 to Amici's Trattoria- Contingent upon providing and updated Certificate of Insurance; Chelmsford House of Pizza & Seafood-Contingent upon TIPS certification being on the premises; Evzon- Contingent upon a written policy for employee's responsibilities; Jimmy's Pizza, Subs and Seafood; Kastore Restaurant; Khoo & Ng Corp (Sakura Japanese Cuisine); Sal's Pizza-Contingent upon a written policy and procedure for employee's responsibilities; Yoong Tong II Thai Restaurant (Padee Corp)- Contingent upon posting ABCC signs and a written policy and procedure for employee's responsibilities.; Seafood Connections Restaurant-Vote not to renew-ABCC renewal form was not returned. Selectman McCall seconded. Motion unanimously carried.

Motion: Selectman Eliopoulos made a motion to approve the following All Alcohol Restaurant Licenses for 2005 to AUC., Inc. (Sombreros); Alambique, Inc.- Contingent upon an updated TIPS certification; Bainbridges-Contingent upon an updated TIPS certification; Bertucci's Restaurant Corp.; Chelmsford Country Club (Sterling Golf Management) Selectman Eliopoulos stated the time should stay at 12am. Mr. Lynch stated that this needs to be kept on an individual basis through board.; C.K. Restaurant Inc. (Mama's); Country Club, Too, inc.; Garlic and Pepper Bistro- Contingent upon an updated TIPS certification; Glenview Lounge and Pub; The Ground Round; Hong & Kong Restaurant; Princeton Station; Skip's Restaurant; Szechaun Chef Restaurant; Thai Jasmine-Contingent upon a written policy for employee's responsibilities; Vincenzo's Restaurant; Panda Wok, Inc. – Vote not to renew-ABCC renewal form was not returned. All Contingent upon TIPS certification 60 days from today. Selectman McCall seconded. Motion unanimously carried.

Motion: Selectman Eliopoulos made a motion to approve the following All Alcohol Package Store Licenses for 2005 to DJVP Ram Corp- Contingent upon an updated BAT certification; Drum Hill Liquor Mart; Harrington Wine & Liquors; Sam's Liquors; The Wine Rack- Contingent upon payment of

outstanding personal property taxes ($19.92); Vrouhas, Inc.; Westlands Package Store. Selectman McCall seconded. Motion unanimously carried.

Motion: Selectman Eliopoulos made a motion to approve the following Beer & Wine Package Store License for 2005 to Ted's Market- Contingent upon a payment plan with the Finance Director. Selectman McCall seconded. Motion unanimously carried.

Motion: Selectman Eliopoulos made a motion to approve the following Auto Dealers Licenses for 2005 to Class I Auto Dealer Route 3A Motors; Class II Auto Dealers A+ Auto Body Repair; Beantown Motors; Bosco Automotive Services-Contingent upon payment of outstanding Personal Property taxes ($18.25); Chadwick-BaRoss, Inc.; Chelmsford Auto Sales, Inc.; Dana's Automotive; Duffy's Auto Co., Inc.; Earl Socha Used Cars; Ferreira Wrecker Sales-Contingent upon payment of outstanding Real Estate taxes ($1,871.20); G&G Auto; J.P. Rivard Trailer Sales, Inc.; Jim Gervais Sales, Inc.; John's Auto Sales; Landry's Automotive; M&M Towing; McGovern Automotive; Merrimack Auto Sale, Inc.; Morton Jaguar Service, Inc.; Northeast Transmission Company; N.T.C. Automotive; Pleasant Auto Sales of Chelmsford; R&P Auto Sales (1 Oak Street); R&P Automotive (117 Princeton Street); Silva's Garage and Auto Body Sales; Stony Brook Auto Body; Winner's Circle Auto Sales, Inc. Selectman McCall seconded. Motion unanimously carried.

Motion: Selectman Eliopoulos made a motion to approve the following Common Victualer License for 2005 to A&A Convenience Stores-Contingent upon providing an updated Certificate of Insurance; Ala Carte Café; A+ Mini Market-Contingent upon providing and updated Certificate of Insurance; Adams Corner Variety-Contingent upon payment of outstanding PP taxes ($238.68); Antonio's Pizza; Bianco & Sons Catering; Bickford's Family Restaurant; Boston Market Corp.; Brickhouse Pizza; Brothers Gourmet Pizzeria; Burger King Restaurant; Carvel Ice Cream, Store-Contingent upon payment of outstanding PP taxes ($55.31); Carven Catering Services; Chelmsford Center Deli-Contingent upon payment of outstanding PP taxes ($23.58); Chips Café; China Mountain Restaurant; Country Club USA; D'Angelo Sandwich Shop; Domino's Pizza-Contingent upon providing an updated Certificate of Insurance; Dunkin Donuts-Chelmsford Street; Dunkin Donuts-Drum Hill Road; Dunkin Donuts-Tyngsboro Road; Einstein Brothers Bagels; Elliots Hot Dogs-Contingent upon providing and updated certificate of Insurance; Energy North Stores-Contingent upon providing an updated Certificate of Insurance; Family Pizza-Contingent upon providing an updated Certificate of Insurance; Fresh Chow Restaurant-6am new opening time; Friendly Ice Cream Corp.; Gary's Ice Cream; Joanne's Kitchen-Contingent upon providing an updated Certificate of Insurance; Kate's Corner-Contingent upon payment of outstanding Personal Property taxes ($26.38); Kero's Pizza & Subs; Market Basket; McDonald's Restaurant; Mr. Convenience; Nonna Cardone's Cucina; Panera Bread-Contingent upon providing an updated Certificate of Insurance; Papa Gino's; Shop & Save; Shell Food Mart-Contingent upon

providing an updated Certificate of Insurance and payment of outstanding PP taxes ($4.79); Stop & Shop Supermarket; Subway; Sully's Ice Cream; Sweetest Memories; Tai Shiang Garden-Contingent upon providing an updated Certificate of Insurance and payment of outstanding Personal Property taxes ($19.72); The Elegant Farmer-Contingent upon providing an updated Certificate of Insurance and payment of outstanding PP taxes ($41.98); The Flaky Pastry-Contingent upon providing an updated Certificate of Insurance; The Holy Cow Café-Contingent upon providing and updated Certificate of Insurance; The Pizza Place; The Americana Café; Timbo's; Village Square Convenience Store; Wal-Mart Stores, Inc.; Westland, Inc; Zesty Pizza; the java room. Selectman McCall seconded. Motion unanimously carried. Note while reading off Selectman Eliopoulos stated Stop & Shop twice and not Stop & Save

BOS Vote: Monitoring Services Agreement, Windemere at Chelmsford:
Mr. Lynch stated that this item is the affordable housing development in Town and its agreement between the Housing Authority and Windemere Development. The agreements states that the Housing Authority will monitor to make sure the housing units are affordable. This agreement has been reviewed by the town counsel and the Community Development Coordinator, Andy Sheehan. Mr. Lynch stated he needs a vote from the board to acknowledge an agreement.

Motion: Selectman Eliopoulos made a motion to approve the monitoring service agreement of Windemere's comprehensive permit. Selectman McCall seconded. Motion unanimously carried.

Selectman Referrals:
Selectman McCall made the following referrals:

1. Lights at the signals at Drum Hill are still confusing and lines can not be seen. Selectman McCall asked Mr. Lynch why there are two lights. Mr. Lynch responded by stating there needs to be two signals for one lane by law.
2. The left to go on Littleton Road is a Yield for Left turn on green ball and people are trying to beat the light. Selectman Eliopoulos asked if it could be a flashing red. Mr. Lynch stated that there needs to be consistency in all communities therefore a green arrow to green ball it can not go to a flashing red. Mr. Lynch stated that there has been a decrease in accidents since the new lights and stripping has gone in June 2nd.
3. The Neighbors for Responsible Growth is working in Chelmsford and maybe the Board should be supportive coming up with guidelines to determine density for affordable housing to ensure the character of communities. Selectman McCall stated that some developments are very thickly settled with twice the density and the NFR speaks on the citizen's behalf. Mr. Lynch stated that with the 40B law the Town is limited but that some local control makes sense. Mr. Lynch stated that the Walnut Street project was a good example in how to respond with displeasure with the project's density. Selectman McCall stated that he was not against affordable housing but it needs to be consistent with single family homes

in Chelmsford. Mr. Lynch stated that support for 40Bs in the right places in the community for example Turnpike Rd and that the guidelines from the Board will be used as a basis for the town official's statement.

Selectman Eliopoulos made the following referrals:

1. Selectman Eliopoulos asked Mr. Lynch where the Town was with the Columbus Ave. situation and if contacted the abutters with concerns. Mr. Lynch stated that the property has unregistered cars and traffic control signs in the yard and there has been some communication with the property owner. Mr. Lynch also commented on the property owner erecting a structure that conforms to the bylaw for housing of cars. Mr. Lynch stated that as to the Traffic signs he is looking into the legality of the signs and what the state law says. Mr. Lynch has spoken with Traffic engineers and Town counsel and is working to solve issue.
2. Selectman Eliopoulos has received news on the Route 3 Noise Wall Review and it stated that the neighborhood did not warrant a sound barrier. Selectman Eliopoulos found this to be very disappointing and the criteria or sound barriers from the CEI to be outdated.
3. PAC meeting at town offices and spoke with Modern Continental to relook at proposed McDonalds off of Rt. 40 and to make sure if the project goes through there are sound barriers for the neighborhood.
4. Chelmsford Tree Ceremony was a good time and Selectman Eliopoulos wished everyone a Happy Holiday.

Chairman Weisfeldt made the following referrals:

1. Chairman Weisfeldt received a call from the disability commission and there is a street post in the middle of a sidewalk. Mr. Lynch stated that Engineers have been out to the site and that the pole meets with the ADA requirements.
2. Chairman Weisfeldt asked Mr. Lynch where the progress was with the Board of Health budget. Mr. Lynch stated that there are meetings with the BOH and looking at similar requests for additional hours.
3. Route 3 opened and a big thank you is needed to Modern Continental. Mr. Lynch stated that Chelmsford would benefit the most from the widening and also was the most affected by the construction. Mr. Lynch complimented Selectman Eliopoulos for his hard work. Chairman Weisfeldt suggested a letter be sent to Modern Continental.
4. Chairman Weisfeldt wished all a Happy Holiday and New Year.

Meeting adjourned at 8:51 p.m.
Next scheduled meeting is January 3, 2005.

Respectfully submitted,

Patrice Garvin

BOARD OF SELECTMEN MEETING MINUTES

DECEMBER 30, 2004

A meeting of the Board of Selectmen was held on December 30, 2004 at the Town Manager's Conference Room at 8:00 a.m. Members present were, Stuart Weisfeldt, Philip Eliopoulos, Thomas Newcomb, William Dalton and Michael McCall. Also present was Town Manager, Bernard Lynch.

Mr. Lynch explained that the reason for the meeting was that he needed approval from the Board to enter into agreements for the purchase of streetlights. He reported that there would saving to the streetlight budget if the Town purchased the streetlights from Mass. Electric. The saving would be $15,000 annually and increase substantially once the nine year finance plan was paid. Mr. Lynch also explained that the Town had gone out to bid for the operation and maintenance of the streetlights and that Republic Electric was the low bidder. Mr. Dalton asked if the Town could do the maintenance of the streetlights. Mr. Lynch said that we needed to start out with Republic Electric and that would certainly be an option down the road, that we would need licensed electricians to do the work. Mr. Lynch said Republic's fee is $1.35 per month, per light. Selectmen Eliopoulos made a motion to approve the purchase of the streetlights from Mass. Electric, enter into a three year contract with Republic Electric for the maintenance and operation of the streetlights, and enter into an agreement with Systems Finance Corporation for the financing of the streetlights. Selectmen Newcomb seconded the motion. The motion passed unanimously.

Respectfully submitted,

Marian D. Currier